

EXPLANATORY STATEMENT FOR THE HOMELAND
SECURITY APPROPRIATIONS BILL, 2022

OVERVIEW AND SUMMARY OF THE BILL

The creation of the Department of Homeland Security in 2002 brought together 22 different agencies from across the Federal Government under one management structure. As the youngest in the Federal Government, this is the 19th annual appropriations cycle for the Department. The Department continues to prove its value to our nation during periods of adversity, and the Committee applauds the Department for demonstrating resiliency in maintaining our overall national security posture without forsaking the mission to safeguard the American people, our homeland, and our values. The Committee acknowledges the success in executing such mission is primarily due to the dedication of more than 240,000 Department personnel.

Throughout the Department's history, the Committee has strongly supported initiatives to connect and integrate programs across the homeland security enterprise in order to meaningfully quantify the value of new investments in improving operational capabilities and achieving performance improvements. The Committee continues to encourage the Department to identify how investments in one component may impact resource needs at another, to ensure those investments are maximized and we are not diminishing the value of those investments by unnecessarily creating bottlenecks or imbalances in DHS capabilities. It is essential that the Department is able to make data-driven decisions on how billions of taxpayer dollars are spent each year. To assist and accelerate the Department's capabilities in this area, the Committee includes new budget justification requirements for the fiscal year 2023 budget submission and provides new resources in this bill to conduct independent evaluations and develop analytic tools and capabilities to better inform where the next dollar is best spent and to recommend additional investments and tradeoffs across the enterprise. Along with funding identified within DHS components, the Committee provides new funding for the Science and Technology Directorate and the Office of the Chief Financial Officer to expand and accelerate development, use, and oversight of these capabilities. The Committee expects the Department to perform real tradeoff analyses in justifying investments in capital or personnel.

The Committee continues to invest significant resources in personnel, technology systems, and infrastructure. While the Committee expects previous investments to be leveraged to the fullest extent practicable, particularly through Department-wide engagement, it is paramount that the Department ensures future requests for investments are informed by workload analyses and other models and actively examine new, innovative capabilities to success-

fully meet mission goals. The Committee calls on the Department to incorporate into future budget submissions the data resulting from modeling efforts and other analytics that directly speaks to future workload impacts and operational requirements. The Committee acknowledges that the management and oversight challenges inherent to such a large and maturing government organization are compounded by a complex and volatile threat environment and an unprecedented demand on the services the Department provides. The Committee expects the Department to continue gaining management and cost efficiencies by consolidating cross-component efforts while allowing components a reasonable flexibility necessary to respond quickly to changing or emergent threats.

The Committee recommends a total appropriation of \$73,684,519,000 for the Department of Homeland Security for fiscal year 2022. Of this amount, \$71,723,000,000 is for discretionary programs including \$18,799,000,000 for the Disaster Relief Fund designated by the Congress as disaster relief pursuant to Public Law 112–25.

Fiscal year 2021 funding levels cited in this explanatory statement reflect the enacted amounts in the Consolidated Appropriations Act, 2021 (Public Law 116–260), adjusted for comparability where noted, and do not include fiscal year 2021 supplemental appropriations. Accordingly, any comparisons to fiscal year 2021 funding levels do not reflect fiscal year 2021 supplemental appropriations. The Committee recommends funds necessary to support the Department’s mission of safeguarding the American people, our homeland, and our values through investments that improve the Department’s ability to retain qualified personnel and enable the Department’s employees to operate more effectively and efficiently.

Recognizing there is much work to do in order to rebaseline the immigration functions of the Department, the bill takes a first step towards a more cost effective and evidence-based approach. The bill also makes several changes to current law in order to address inequities and bring immigration enforcement into the 21st Century. The bill recaptures lost visas due to the prior administration’s efforts to delay issuance of congressionally authorized visas, discriminatory bans, and the COVID–19 pandemic. The bill also prohibits the use of Homeland Security Investigations [HSI] personnel and resources for the enforcement of civil immigration, a necessary provision to ensure that the principle investigative arm of the Department has the necessary resource to investigate transnational crime and disrupt terrorist organizations rather than arrest asylum seekers fleeing individualized violence. As noted above, the Committee recognizes there is significant work to do and intends to continue thoughtful, cost effective alternatives to the current outdated approach.

The Committee recognizes that border security continues to be of critical importance to the national security of the United States and remains concerned about the increasing polarization with respect to securing the homeland, particularly over the last 5 years. The Committee recommends significant funding increases at Customs and Border Protection for proven and cost-effective investments to strengthen the security of U.S. borders. Recognizing that a border wall across the entire southern border was both exception-

ally costly and ineffective, particularly when compared to investments in other border security capabilities, the recommendation rescinds previously provided funds for border barriers, making it possible to support new investments in: technologies that serve as key workforce multipliers for front-line law enforcement; life-saving search and rescue capabilities; port of entry scanning equipment to detect illicit cargo; employee resiliency programs and training capacity to support the CBP workforce; and, the detection of goods and materials produced by forced labor. The recommendation also includes funding for new permanent multi-purpose facilities on the southwest border that provide space for multiple agencies to improve processing of noncitizens encountered at the border.

Immigration and Customs Enforcement [ICE] personnel are responsible for securing the Nation's borders and enforcing immigration laws. The bill makes several changes to ICE funding when compared to prior fiscal years. The bill reduces funding for an average daily population by at least 5,550 beds, and does not provide funding for family detention facilities. In lieu of family detention facilities, which are costly and ineffective at deterrence, the Committee provides funding for ICE to enter into contracts to process and temporarily house families who arrive at the border seeking refuge. The Committee would like to see ICE use independently validated tools to aid in decision-making, and in several areas, provides funding for, or directs ICE to, utilize and analyze how to incorporate more independently validated tools. The Committee remains concerned about the overall detention apparatus, including the current process for identifying and entering into contracts with the private sector and recognizes that serious meaningful reforms are necessary in upcoming fiscal years.

Similar to efforts recently undertaken to address criminal justice reform and turn away from the overreliance on mass incarceration which is costly and ineffective, the bill requires an evidence-based individualized assessment of persons subject to mass civil incarceration. However, in recognition that Federal immigration detention is civil detention, not criminal, the Committee makes appropriate modifications and intends to further this work in upcoming fiscal years. Current law is outdated, does not independently examine whether the person is an individualized threat to society or themselves, and results in low level, non-violent individuals treated equally as more serious criminal offenders subject to detention. This outdated approach to civil detention is not aligned with recent bipartisan efforts that recognize that people with low level offenses have been subject to prolonged detention and may not present a safety risk to the public. Notwithstanding this outdated, costly, and ineffective law, the bill requires ICE to conduct an individualized assessment and explore alternative approaches based on evidence-based, independently validated tools rather than treat all people the same, regardless of risk.

HSI, a component within ICE, has played a prominent role in the efforts to combat the national and global opioid epidemic and investigate domestic and international criminal activity, including recent operations to combat fraud and financial crimes. The Committee recommendation supports these continued efforts. The Committee also recognizes that HSI is the lead investigative component of the

Department and is concerned that investments made into partner components to help identify illicit substances at ports of entry, have not been commensurate for HSI's investigative mission.

The Department's commitment to ensuring safety across the Nation's vast and varied transportation systems through the Transportation Security Administration [TSA] is critical for overall national security. Tasked with safeguarding the freedom of movement of people and commerce, TSA personnel utilize innovative technologies, local law enforcement, screening canines, and Visible Intermodal Prevention and Response teams to successfully combat emerging threats to our Nation's transportation systems. The Committee recommendation includes funding required to support the resiliency of the transportation infrastructure network.

The Committee's recommendation wholly supports the role of the Coast Guard to enforce Federal laws on the high seas, preserve life and property at sea, assist in navigation, protect the marine environment, coordinate and participate in search-and-rescue missions, and maintain a state of defense readiness. Due in large part to the Committee's efforts, the Coast Guard's surface and air fleets are in the midst of unprecedented modernization, resulting in more operational efficiency and enhanced performance in mission execution. The Committee additionally recognizes that modernization of these vessels and aircraft have significantly increased the Coast Guard's ability to effectively interdict drugs before they enter the United States and provides robust funding to continue this crucial effort.

The Committee recommends significant resources above the fiscal year 2021 enacted level to protect and maintain the Nation's critical infrastructure and election infrastructure as cyber-related threats emerge. The Cybersecurity and Infrastructure Security Agency [CISA] facilitates these activities through information sharing with State, local, territorial, and Tribal [SLTT] governments, maintaining the security of Federal networks and conducting vulnerability assessments to address emerging threats.

The Committee notes the extraordinary efforts of the men and women of the Federal Emergency Management Agency [FEMA] in their preparedness, protection, response, recovery, and mitigation efforts to natural and man-made disasters in fiscal year 2021, including ongoing historic major disaster declarations across the country resulting from a global event. The Committee continues to provide resources necessary to fund previous major disaster declarations, while simultaneously considering future disaster preparedness and emergency response needs.

The Committee provides unprecedented resources to address the impacts of climate change. This includes smarter investments within the Department, including support for the President's request to start transitioning to a zero emission Federal fleet with new investments in electric vehicles. The Committee also strengthens FEMA's Building Resilient Infrastructure and Communities Program with additional resources that will incorporate climate adaptation into national preparedness and community grants and projects.

The Committee continues critical investments in the future of the Nation's security by recommending funding above the requested amount for research and development [R&D] capabilities across the Department. The Science and Technology Directorate

[S&T] is at the center of the Department’s R&D activities, supporting advancements in developing surveillance technologies, and partnering with universities to ensure innovation is considered in protecting the homeland. These R&D capabilities ensure the Department is able to acknowledge and mitigate evolving risks, reduce interference with legitimate commerce, and maintain a technological advantage over those seeking to harm the United States.

BILL FUNDING PRIORITIES

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 Request	Committee recommendation
Title I—Departmental Management Operations	2,307,462	2,825,650	2,772,458
Title II—Security, Enforcement, and Investigations ...	43,312,772	44,207,245	44,279,823
Title III—Protection, Preparedness, Response, and Recovery	23,697,135	26,155,474	26,516,015
Title IV—Research, Development, Training, and Serv- ices	1,635,973	2,075,504	2,154,054
Title V—General Provisions	773,362	–2,033,687	–1,999,350
Total, new budget (obligational authority)	71,726,704	73,230,186	71,723,000

REFERENCES

Any reference in this explanatory statement to the Secretary shall be interpreted to mean the Secretary of Homeland Security.

Any reference to the Department shall be interpreted to mean the Department of Homeland Security.

Any reference to a departmental component shall be interpreted to mean offices, components, directorates, or other organizations within the Department of Homeland Security.

Any reference to the budget request or the request shall be interpreted to mean the budget of the U.S. Government, fiscal year 2022.

Any reference to FTE shall mean full-time equivalents.

Any reference to PPA shall mean program, project, and activity.

Any reference to GAO shall mean the Government Accountability Office.

Any reference to OIG shall mean the Office of the Inspector General of the Department of Homeland Security.

Any reference to IT shall mean information technology.

Any reference to SLTT shall mean State, Local, Tribal, and Territorial.

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT, OPERATIONS,
INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

The Office of the Secretary and Executive Management [OSEM] supports the Department by providing direction, management, and policy guidance to operating components. The programs, projects, and activities funded by this appropriation include: the Office of the Secretary; the Office of Policy; the Office of Public Affairs; the Office of Legislative Affairs; the Office of Partnership and Engagement; the Office of General Counsel; the Office for Civil Rights and Civil Liberties; the Office of the Citizenship and Immigration Services Ombudsman; the Office of the Immigration Detention Ombudsman; and the Privacy Office.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$241,555,000 for OSEM, which is \$8,192,000 below the budget request amount and \$35,736,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and budget request levels:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Office of the Secretary			13,846
Office of Public Affairs			7,917
Office of Legislative Affairs			7,112
Office of General Counsel			25,848
Privacy Office			17,929
Office of Strategy, Policy, and Plans	50,939	68,341	68,341
Office for Civil Rights and Civil Liberties			38,660
Office of Citizenship & Immigration Services Ombudsman			8,419
Office of the Immigration Detention Ombudsman			20,304
Office of Partnership & Engagement			13,179
Operations and Engagement	74,948	80,756	.....
Management and Oversight	54,932	75,650	.....
Federal Assistance	25,000	25,000	20,000
Total, Office of Secretary and Executive Management	205,819	249,747	241,555

OPERATIONS AND SUPPORT

Appropriations, 2021	\$180,819,000
Budget estimate, 2022	224,747,000
Committee recommendation	221,555,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$221,555,000 for Operations and Support [O&S], which is \$3,192,000 below the budget request amount and \$40,736,000 above the fiscal year 2021 enacted level. Of the total amount, the Committee recommends not to exceed \$30,000 for official reception and representation expenses.

OSEM Programs, Projects, and Activities Structure.—OSEM contains a number of various offices that are critical to the Department, for instance, some OSEM offices work to ensure that the rights of Department employees, citizens, and noncitizens are protected, facilitate compliance with Federal law, and engage with State and local governments to help the Department meet its mission. As such, proper oversight and transparency into OSEM is crucial to ensure accountability. Given these critical functions within OSEM, the Committee returns to the prior structure to ensure oversight by Congress and the public. Additionally, the Committee is concerned that not all recent hiring and pay decisions have been authorized or have considered fiscal implications. OSEM, like other components, is not free to exceed its appropriated hiring limitation, despite its importance. The Committee directs OSEM, not less than quarterly, to update the Committee on hiring and staffing within OSEM. The Committee declines to support the full budget request for the Office of General Counsel and the Office of the Secretary.

Quarterly Obligation Reports.—The Department shall continue to submit quarterly obligation reports to the Committee for all reception and representation expenses as required in prior years. The Department shall refrain from using funds available for reception and representation expenses to purchase unnecessary collectibles or memorabilia.

Adequate Budget Justifications.—The Committee expects the Department to provide complete justification materials with the fiscal year 2023 budget request and to provide details for each office and program, clearly describing and accounting for current services, transfers, adjustments to base, and program changes.

Joint Requirements Council [JRC].—The Department is directed to continue to provide quarterly briefings on the JRC and shall brief the Committee on any reorganization of headquarters organizational units not later than 60 days before any such reorganization takes place.

Public Reporting of Operational Statistics.—The Committee continues its requirement that the Department submit quarterly Border Security Status reports and data on the deportation, or removal, of the parents of citizen children semiannually, as in prior years.

DATA Act Reporting.—The Committee expects the Department to submit timely, accurate, and complete financial and award information under existing Department of the Treasury reporting obligations in accordance with established management guidance, reporting processes, and data standards established under the re-

quirements of the Digital Accountability and Transparency Act (Public Law 113–101).

The Department’s Mission in Rural Areas.—The Office of Partnership and Engagement is directed to continue to provide a briefing to the Committee not later than 90 days after the date of enactment of this act on its outreach efforts to rural communities and Tribes in their efforts to support the homeland security mission.

Future Goods and Services for Homeland Security Feasibility Report.—The Secretary, in conjunction with Federal Emergency Management Agency [FEMA] and Cybersecurity and Infrastructure Security Agency [CISA], as well as relevant departmental components and other Federal agencies and departments, shall provide a report to the Committee not later than 90 days after the date of enactment of this act on the feasibility of producing an annual projection of needs for goods and services regarding response to and recovery from nationwide events. The feasibility report shall detail the ways in which sourcing domestic and foreign supplies affects response and recovery preparedness and shall include the potential impact of the development of a program that communicates anticipated national needs on the reliability of the supply chain.

State Police and Crime Labs.—The work of Customs and Border Protection [CBP], Immigration and Customs Enforcement [ICE], the Coast Guard, and the Secret Service includes investigations and operations in communities throughout the United States. As a result, the Department often shares capabilities and relies upon cooperation with SLTT and foreign law enforcement agencies, including State police crime labs. These labs provide the Department with a number of critical capabilities, including fingerprint, drug, and cellular telephone analysis. Likewise, these capabilities are the same services shared among SLTT and foreign law enforcement agencies. Coordination among these agencies not only ensures efficient use of resources, it also improves public safety outcomes. To that end, the Department should continue to work with State crime labs where available, particularly in areas not adequately served by Department labs or other Federal facilities. The Department should also continue to provide any assistance that is appropriate to State police crime labs to ensure Federal requirements do not burden State resources. Moreover, in areas where the Department frequently relies on State crime labs, additional support may be appropriate to prevent the accumulation of backlogs that can slow investigations. The Department shall report on its use of and partnerships with State crime labs, including funds associated with such partnerships, and should fully reimburse State crime labs for services they provide to the Department.

Tribal Consultation.—Department personnel interact with Tribes and thousands of Tribal members every day. Some Department personnel do not have training on Tribal issues, which may lead to misunderstandings that negatively impact Tribes, Tribal members, and ultimately, the Department. The Committee recognizes that the Department is required under Executive Order 13175 to consult and coordinate with Tribal governments. Within 180 days of the date of enactment of this act, the Department shall consult and work with Tribes to improve the mandatory base level training course for Department personnel, including but not limited to full

time employees, part time employees, and contractors, who have regular interactions with Tribal members or are likely to encounter Tribal members at their duty station.

Biometric Exit.—The Committee considers implementation of biometric exit a priority and worked to provide dedicated funding for this purpose through Public Law 114–113. The Committee recognizes CBP’s progress in expanding biometric exit capabilities at air ports of entry [POEs], adding five new locations in fiscal year 2021, totaling 32 locations with biometric exit. Facial comparison technology in the land environment, as of August 2021, has identified 845 imposters. The Department is directed to provide a spend plan for H–1B and L–1 fee revenues and any other resources being applied to biometric exit implementation not later than 30 days after the date of enactment of this act. The Committee further directs the Department to brief the Committee within 180 days of the date of enactment of this act to detail ongoing efforts to address entry and exit data collection and exchange in the land border environment.

Visa Overstays.—The Committee remains concerned that the large number of annual in-country overstays threatens national security and the integrity of legal immigration. Pursuant to section 1376 of title 8, United States Code, the Department is required to collect data on nonimmigrants who have overstayed their visas and to report annual estimates to Congress. The Committee continues to make investments in immigration data improvements and in underlying IT capabilities that shall be applied to enhance information for operations, management needs, and the next overstay report. The Committee expects that the Department will provide the report on an annual basis. As previously required, the Department shall submit an updated report outlining its comprehensive strategy for overstay enforcement and deterrence not later than 180 days after the date of enactment of this act. The report shall detail the ongoing actions to identify individuals who have overstayed their visas, including those necessary to improve the capabilities to report such information; notify individuals of their required departure dates in advance; track such overstays for enforcement action; refuse or revoke current and future visas and travel authorization; and otherwise deter violations or take enforcement action.

Family Separation.—The Committee remains concerned about the lasting traumatic harm inflicted on children when they are separated from their family after an arduous journey to seek safety. The Committee strongly discourages any such family separations, absent a specific documented determination by a child welfare expert that such separation is in the best interests of a child. The Department is directed to provide the Committee with a monthly report, which will be made public on the Department’s website, documenting when and where all family separations occur; the ages of all children separated from their family units; the nature of administrative or criminal charges filed against adult family members; and the frequency of instances where family units are removed or deported separately. The Committee directs the Department to provide the Committee with a report detailing the Department’s working definitions of, and any related memos, trainings, or documents, relating to the issue of “fraudulent family unit.”

Separation of Family Units.—The Committee remains concerned about the separation of children from other family members who may not be the parent or legal guardian, including children who arrive with an adult sibling, grandparent, or other family kinship unit. The Committee is also aware that some children arriving with other family members, are sometimes classified as “accompanied” children or otherwise deprived of statutory protections provided for unaccompanied children in existing law when they are expelled or not processed as an unaccompanied child. The Committee is concerned that the Department lacks unified definitions, policies, and field guidance, informed by child welfare, reflecting a more accurate definition of family unit. The Committee directs the Department to develop consistent policy addressing these family units in collaboration with other Federal agencies that work with unaccompanied children and informed by child welfare principles. The policy shall seek to maintain family unity for children arriving without a parent or legal guardian, preserve the child’s right to seek humanitarian protection and/or be released from the Department’s custody pursuant to Federal law, and facilitate and expedite necessary processing to place or release the child with the arriving individual consistent with existing law and policy regarding unaccompanied child sponsors.

Family Reunification.—The Committee expects that the Department will, consistent with assessments that it is in the best interest of the child, and whenever possible, ensure that separated family units are reunited prior to removal or deportation, released from CBP or Bureau of Prisons custody, or remain together upon transfer to ICE or ORR custody. The Committee expects the Department to ensure that individuals transferred from CBP to ICE custody, currently in ICE custody, or under ICE supervision, have opportunities to report family separation incidents; to verify the status, location, and disposition of family members; and to regularly communicate by telephone with one another. The Department shall also ensure that agents and officers are properly trained in child welfare screening for child victims of trafficking, in accordance with the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457).

Family Reunification Task Force [FRTF].—The Committee supports the principles of Executive Order 14011, Establishing of Interagency Task Force on the Reunification of Families, and rescinds previously appropriated funds to ICE in order to support the critical work of family reunification. The Committee notes that the failed policies of family separation, known collectively as the “Zero Tolerance” policy, inflicted untold harm on children and families and have resulted in untold costs saddled onto the American taxpayer in the form of litigation expenses, agency inefficiencies and waste, while failing to make the border secure or deter future migration. The Committee directs the FRTF to provide the Committee with a spend plan within 90 days of the date of enactment of this act, and not less than quarterly thereafter, update the Committee on the FRTF efforts.

Ending Online Child Exploitation.—The Department is engaged in a number of commendable efforts to end human trafficking and child exploitation. The Committee directs the Department to brief

the Committee semiannually on all of the required data pertaining to Department-wide efforts to combat human trafficking and child exploitation and provide the appropriate committees of jurisdiction with an updated comprehensive study on human trafficking report as required in the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457).

Records Management.—The Committee expects the Department to maintain records and respond to records requests, consistent with the requirements of section 552 of title 5, United States Code, for information related to all detainees in the custody of the Department, regardless of whether such detainees are housed in a Federal or non-Federal detention facility. The Committee further notes that the Department should not withhold records from disclosure unless the Department reasonably foresees that disclosure would harm an interest protected by an exemption described in section 552(b) of title 5, United States Code or is otherwise prohibited by law.

REAL ID.—The Committee is aware that States and citizens will require support in ensuring appropriate preparation for the transition to REAL ID (Public Law 108–13). The Office of the Secretary, in conjunction with TSA and other appropriate components, should make every effort to support the needs of the REAL ID transition.

Transparency in Parole Data.—Within 60 days of enactment of this act, the Secretary shall provide quarterly reports to the Committee detailing the number of parole requests received, the number of parole requests granted, the reason for each grant of parole, and the duration of each grant of parole.

OFFICE OF STRATEGY, POLICY, AND PLANS

Center for Prevention Programs and Partnerships.—The Committee strongly supports recent efforts to comprehensively combat all forms of terrorism and targeted violence, while balancing the fundamental privacy, civil rights and liberty interests of citizens and residents alike. The Committee supports the transition to the new Center for Prevention Programs and Partnerships [CP3], which will utilize a community-based approach, including reliance on evidence-based, local prevention frameworks, to prevent targeted violence and terrorism. The Committee supports the Department’s recent efforts to more directly address all forms of terrorism and targeted violence, including the pervasive threat of domestic violent extremism.

The Committee directs the Department to coordinate with the Department of Justice, the Federal Bureau of Investigation, and key public safety officials across the Nation to promote information sharing and ensure an effective, responsive, and organized joint effort to combat domestic terrorism. The Committee further directs the Department to review the anti-terrorism training and resource programs that the Department provides to Federal and SLTT law enforcement agencies and ensure that such programs include training and resources to assist SLTT law enforcement agencies in understanding, detecting, deterring, and investigating acts of domestic terrorism and extremists’ activities targeting infiltration of law enforcement agencies. The Committee also directs the Department to report to the Committee within 90 days of enactment of this act

on the Department's assessment of the domestic terrorism threat, including extremists' activities targeting infiltration of Federal and SLTT law enforcement agencies. Such report shall also include an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding fiscal year.

Use of Facial Recognition Technology.—The Committee is aware of recent recommendations contained in GAO-21-105309, noting that some Federal law enforcement agencies should have better awareness of facial recognition systems used by their employees in order to mitigate risks to themselves and to the privacy of others. The Committee notes that the report specifically identifies a number of Departmental components that do not have such policies in place. Within 180 days of enactment of this act, the Department shall develop a policy that implements a mechanism to track which non-Federal systems with facial recognition technology are used by employees to support investigative activities. After implementing a mechanism to track any such non-Federal systems, the Department shall assess the risks of using such systems, including privacy and accuracy-related risks. The Department shall brief the Committee the results of such findings and identify associated costs to implement policies across the Department.

Policy on Legal Orientation and Access within all Department Facilities.—The Committee is concerned that asylum seekers and other noncitizens do not have a sufficient understanding of their rights, obligations, and responsibilities within the immigration system. The Committee is aware that immigration-benefit request outcomes can be substantially different when all parties are represented by competent counsel. Within 270 days of the enactment of this act, the Department, led by the Office of Strategy, Policy and Plans, and in cooperation with the OCRCL, shall brief the Committee on the benefits, challenges and the potential overall impact on the immigration system, if legal orientation and access programs were required or permitted in all custody and detention facilities. The briefing shall discuss the specific changes necessary to facilitate legal orientation and meaningful access if conducted in facilities where the right to counsel does not presently exist and identify the necessary funding requirements.

Small Unmanned Aircraft Systems [sUAS] Procurement.—The Committee remains concerned about the threat of foreign-made sUAS collecting intelligence on U.S. national security facilities and critical infrastructure. For the purposes of securing and protecting infrastructure critical to national security, requirements for purchases of American-made UAS should be implemented as soon as practicable. Until such requirements are in place, for any acquisition using funds in this act, including those by Federal grant recipients, the Department shall require certification of review of the industry alert, and any subsequent UAS guidance, and completion of a risk assessment that considers the proposed use of the foreign-made UAS. The Committee directs the Department to conduct a review of domestically produced alternatives and update guidance, as appropriate.

OFFICE OF PARTNERSHIPS AND ENGAGEMENT

A total of \$13,179,000 is provided for the Office of Partnerships and Engagement.

Blue Campaign.—The Blue Campaign, a Department-wide initiative to combat human trafficking, has historically been operated by personnel detailed from components and funded through end-of-year contributions from components, an approach that is not appropriate for the program’s long-term sustainment. Public Law 116–6 included direct funding for the Blue Campaign to continue support of dedicated personnel and to begin transitioning the program away from reliance on component contributions. The Department is directed to sustain the program at not less than its total fiscal year 2021 level of \$5,150,000 in fiscal year 2022 using component contributions to cover non-personnel program costs. Should the Department continue to propose less than full, direct funding for the program, a complete justification shall be included in future budget submissions.

OFFICE OF GENERAL COUNSEL

A total of \$25,848,000 is provided for the Office of General Counsel [OGC].

OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES

A total of \$38,660,000 is provided for the Office for Civil Rights and Civil Liberties [OCRCL]. OCRCL shall maintain its independence and oversight functions, which are vital to monitoring and investigating complaints.

Language Access Programs.—Within 180 days of the date of enactment of this act, OCRCL shall conduct an analysis of existing language access plans for the Department. The report shall include but not be limited to: (1) an assessment of current language access plans; (2) whether existing language access plans meet applicable requirements; and (3) whether any legal rights orientations are provided in the appropriate language for migrants participating in agency programs. Any recommendations developed after review of the existing plans shall utilize the four-factor analysis identified in Section 4 of the Department’s Master Language Access plan.

PRIVACY OFFICE

A total of \$17,929,000 is provided for the Privacy Office. The Committee encourages all components of the Department to work closely with the Privacy Office to help identify and solve issues related to violations of the Privacy Act (5 U.S.C 552a) in a timely manner.

IMMIGRATION DETENTION OMBUDSMAN

The Committee provides \$20,304,000 for the Office of the Immigration Detention Ombudsman. The Committee reminds the Ombudsman of the existing statutory requirements in duties outlined in 6 U.S.C. 205 and expects to receive the report outlining the activities, findings, and recommendations of the Ombudsman this year. The Committee notes that the Office of the Immigration Detention Ombudsman does not diminish or in any way alter the au-

thorities or responsibilities of other Department offices engaging in similar or complementary work. As outlined in 6 U.S.C. 205, other Department employees shall work with the Ombudsman to ensure that the Ombudsman can carry out their duties.

FEDERAL ASSISTANCE

The committee recommends \$20,000,000 for Federal Assistance, which shall be transferred to the Federal Emergency Management Agency for evidence-based targeted violence and terrorism prevention grants.

Appropriations, 2021	\$25,000,000
Budget estimate, 2022	25,000,000
Committee recommendation	20,000,000

MANAGEMENT DIRECTORATE

The Management Directorate has responsibility for oversight of the management and operations of the Department. The specific activities funded by this appropriation include the Immediate Office of the Under Secretary for Management, the Office of the Chief Readiness Support Officer, the Office of the Chief Human Capital Officer, the Office of the Chief Security Officer, the Office of the Chief Procurement Officer, the Office of the Chief Financial Officer, the Office of the Chief Information Officer, and the Office of Biometric Identity Management.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,004,924,000 for the Management Directorate, which is \$45,000,000 below the budget request amount and \$391,967,000 above the fiscal year 2021 enacted level. The Committee continues to support the Department’s efforts to provide greater transparency of the cost of management operations and to strengthen integration, coordination, and performance across components. Of the recommended amount, the Committee includes \$2,000 for official reception and representation expenses.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and budget request levels:

MANAGEMENT DIRECTORATE

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Immediate Office of the Under Secretary for Management	4,536	4,582	4,582
Office of the Chief Readiness Support Officer	179,036	293,137	293,137
Office of the Chief Human Capital Officer	129,198	136,911	136,911
Office of the Chief Security Officer	134,752	153,726	153,726
Office of the Chief Procurement Officer	106,554	93,945	93,945
Office of the Chief Financial Officer	89,101	102,932	107,932
Office of the Chief Information Officer	501,424	645,909	645,909
Office of Program Accountability and Risk Management .....	.....	16,174	16,174
Office of Biometric Identity Management	253,561	206,237	206,237
Identity and Screening Program Operations (non-add)	76,500	206,237	206,237
IDENT/Homeland Advanced Recognition Technology (non-add) ..	177,061	.....	.....
Total, Operations and Support	1,398,162	1,653,553	1,658,553

MANAGEMENT DIRECTORATE—Continued

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Construction and Facility Improvements	55,184	209,700	209,700
Mission Support Assets and Infrastructure	129,941	140,719	110,719
IDENT/Homeland Advanced Recognition Technology	29,670	45,952	25,952
Subtotal, Procurement, Construction, and Improvements	214,795	396,371	346,371
Total, Management Directorate	1,612,957	2,049,924	2,004,924

OPERATIONS AND SUPPORT

Appropriations, 2021	\$1,398,162,000
Budget estimate, 2022	1,653,553,000
Committee recommendation	1,658,553,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,658,553,000 for Operations and Support [O&S], which is \$5,000,000 above the budget request amount and \$260,391,000 above the fiscal year 2021 enacted level.

Component Obligation Plans.—The Department shall continue submitting obligation plans to the Committee on a quarterly basis, consistent with direction provided in the explanatory statement accompanying Public Law 114–113, and shall ensure that the obligation plans are connected to activity-level details in the budget justification materials. The Committee expects these plans to be delivered in a timely manner.

OFFICE OF THE CHIEF READINESS OFFICER

The Committee recommends \$293,137,000 for the Office of the Chief Readiness Officer [OCRO], which is equal to the budget request amount and \$114,101,000 above the fiscal year 2021 enacted level.

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

A total of \$136,911,000 is provided for the Office of the Chief Human Capital Officer [OCHCO], which is equal to the budget request amount and \$7,713,000 above the fiscal year 2021 enacted level.

Hiring in Rural Communities.—Departmental components continue to face challenges with filling vacant positions and providing for public safety in non-contiguous and rural States. Challenges in recruiting and retaining Federal employees has exacerbated chronic staffing problems at areas critical to public safety. The Department is urged to examine how small businesses, including Native American, Alaska Native, and Native Hawaiian small businesses, could help the Department fill its unmet needs in communities and the Department is encouraged to explore existing opportunities to fill vacancies where possible. Not later than 90 days after the date of enactment of this act, the Department shall provide a report to the Committee on the challenges of recruiting and retaining Federal employees in non-contiguous and rural States. The report shall include a clear description of the obstacles related to using small

businesses, information about rates of attrition, the number of unfilled positions, and the duration of time those positions have remained vacant. The report shall also provide an assessment of the effect these vacancies have on the ability of components to accomplish their statutory and administrative responsibilities.

DHS Cybersecurity Professionals.—Not later than 60 days after the date of enactment of this act, OCHCO, in coordination with OCIO and CISA, shall brief the Committee on the status of hiring cybersecurity professionals and proposed solutions to develop standardized metrics used to ensure consistency in identifying skills and talents of employees across the Department. The briefing shall include recommendations on how the IT-focused jobs can be classified for qualification standards that could be updated to meet the Department’s needs, and shall incorporate the use of the new Cybersecurity Talent Management System [CTMS].

OFFICE OF THE CHIEF FINANCIAL OFFICER

The Committee recommends \$107,932,000 for the Office of the Chief Financial Officer [OCFO], which is \$5,000,000 above the request and \$18,831,000 above the fiscal year 2021 enacted level. The Chief Financial Officer is directed to ensure that fiscal year 2023 budget justification materials for classified and unclassified budgets of all components are submitted, concurrent with the President’s budget submission to the Congress.

The justifications shall continue to include:

- Detailed data and explanatory descriptions for each request and for each PPA, including offices that have been identified as PPAs, reflected in the table at the end of this explanatory statement. Information should be presented in quantifiable terms with specific breakdowns of the funding.
- Tables that compare prior year actual appropriations and obligations, estimates of current year appropriations and obligations, and the projected budget year appropriations and obligations for all PPAs, sub-PPAs, and FTE, including identifying each adjustment to base, transfer, program increase, program decrease, and staffing change proposed in fiscal year 2023.
- Year-to-year changes described in terms that are clear and unambiguous, excluding nonspecific terms such as “technical adjustment” or “administrative change” unless accompanied by a detailed explanation. Explanations of adjustments to base funding, whether increases or decreases, should be specific and compared to prior year activity level, not just the entire PPA level. All requested increases shall be justified with measurable outcomes above the current baseline of activity. If the Department does not have a current measure of such baseline activity, the Department shall establish one before requesting an increase.
- For each operations and support PPA or sub-PPA reflected in the table at the end of this explanatory statement, a breakdown, for fiscal year 2022 enacted amounts and fiscal year 2023 requested amounts, of pay and non-pay amounts.
- For investment end items with severable unit costs in excess of \$250,000 or a lifecycle cost in excess of \$300,000,000, the project description, justification, total cost, and scope; key ac-

- quisition milestones from the prior year, year of execution, and budget year; the funding history by fiscal year, to include prior enacted appropriations, obligations, and expenditures; contract information to include contract number, contractor, type, award date, start date, end date, earned value management potential in the contract, and total contract value; and significant changes to the prior year enacted budget, project schedule, and estimated time to completion.
- For severable end items, the quantity of each item by prior years, current year, budget year, and out-year; the quantity of units delivered on contract, funded but not yet on contract, and planned but unfunded; and the delivery schedule by quarter for the end item, delineated by fiscal year funding.
 - Information by appropriation and PPA on all reimbursable agreements and significant uses of the Economy Act (Public Law 73–2) for each fiscal year.
 - An accurate, detailed table identifying the last year that authorizing legislation was enacted into law for each appropriation, including the amount of the authorization, when the authorization expires, and the appropriation in the last year of authorization.
 - The text and citation of all Department appropriations provisions enacted to date that are permanent law.
 - Explanations and justifications for all proposed legislative changes, whether they are new or amend existing law and whether they are substantive or technical in nature, with an annotated comparison of proposed versus existing language.
 - A report on the status of overdue Committee-required reports, plans, or briefings for each of fiscal years 2021 and 2022.

Additionally, the OCFO, working with component agencies, shall ensure that output from predictive models used by agencies to inform likely impacts to future workloads are incorporated into the Department's fiscal year 2023 budget justification materials. For each relevant program area, budget materials shall clearly describe and quantify the projections used to inform resource requests, indicate the agencies impacted by the projections, and confirm whether the budget requests for those agencies were developed using the same assumptions.

The Committee appreciates the Department providing spend plans when requested or required, however, the Committee is concerned about instances where the Department was not forthcoming about substantive policy deviations. The Committee recognizes that deviations in spend plans are likely, if not inevitable, in program implementation, the Department is directed to notify the Committee when significant, policy related changes are made to spend plans. Any significant new activity that has not been explicitly justified to the Committee or for which funds have not been provided in appropriations acts requires the submission of a reprogramming or transfer request.

Strengthening Independent Evaluations.—The Committee provides \$5,000,000 above the request to accelerate the capabilities and capacity of the Department's Office of Program Analysis and Evaluation [PA&E] to independently review and assess models developed by DHS component agencies. The purpose of these funds

is to develop and maintain an enterprise-wide awareness of models, their purpose and how they are used, and identify synergies when and where it's appropriate, while creating common standards to which component models are built and validated across the Department. Additionally, PA&E shall prioritize efforts to incorporate agency models, where relevant, into internal budgeting and planning processes, directly connecting the output from those models to budget justifications to either maintain or increase funding.

OFFICE OF THE CHIEF INFORMATION OFFICER

The Office of the Chief Information Officer [OCIO] is responsible for oversight of IT systems and infrastructure development and acquisitions oversight, including that at Data Center 1 [DC1] and Data Center 2 [DC2], to support the missions and activities of the Department. The Committee recommends \$645,909,000 for OCIO O&S, which is equal to the request and \$144,485,000 above the fiscal year 2021 enacted level.

Data Center Consolidation.—In addition to budget justification materials and obligation plans, OCIO shall provide semiannual briefings to the Committee on the execution of its major initiatives and investment areas. Such briefings shall include details regarding cost, schedule, hybrid data center and cloud solutions, and the transfer of systems to or from Department data centers or external hosts.

Asset Management for Land Mobile Radio Communications Systems.—The Committee commends the Department's commitment to work towards improvements in asset management for Land Mobile Radio communications systems, and is aware of Federal Protective Service efforts with the Department's Joint Wireless Program Management Office [JWPMO] in the identification and deployment of enterprise level Land Mobile Radio solutions. This collaboration with the JWPMO is to develop requirements and review potential solutions for an enterprise level asset management capability that would be funded through and procured by the JWPMO in order to provide agency-level benefits such as a common asset management standard for all DHS components, the ability to centrally monitor land mobile radio asset status, and support the pursuit of communications interoperability. The Committee encourages the CIO to prioritize funding for purposes of this enhanced asset management solution.

Technology Modernization Fund [TMF] Reporting.—The Committee supports the Department's efforts to leverage the TMF to improve the delivery of mission critical services through transformation of business processes and use of innovative technology. The Committee directs the Department to provide notice to the Committee when the Department or a component agency submits an initial project proposal to the Technology Modernization Board. If a proposal from the Department or component agency is accepted, the Department shall provide the Committee a briefing on the project and the plan for paying back the TMF, e.g., identify projected cost savings.

Zero Trust Security Model.—The Committee directs the Department to continue aggressively pursuing a zero trust security model including through adopting capabilities that allow endpoints such

as mobile devices and remote workspaces to operate in a secure and protected manner, as they would normally exist within agency networks.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

Domestic Supply Chain Report.—Not later than 180 days after the date of enactment of this act, the Secretary of Homeland Security shall provide a report to the Committee with recommendations on how the Department may procure additional items from domestic sources and bolster the domestic supply chain for items related to national security. The report shall include a status of the compliance of the Department with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States. Additionally, the report shall include an assessment of the capacity of the Department to procure the following items from domestic sources: personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID-19; body armor components intended to provide ballistic protection for an individual; helmets that provide ballistic protection and other head protection and components; and rain gear, cold weather gear, and other environmental and flame resistant clothing.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

The Committee recommends \$206,237,000 for the Office of Biometric Identity Management [OBIM], which is equal to the budget request amount and \$47,324,000 below the fiscal year 2021 enacted level. OBIM is an enterprise-level biometric identity service provider that has cross-cutting responsibility to serve and coordinate with the components and other Federal agencies.

Independent Evaluation of the Homeland Security Advanced Recognition Technology [HART].—The Committee requests that the Department provide adequate disclosure of its technologies, data collection mechanisms, and sharing agreements among DHS immigration enforcement agencies, other Federal, State, local, and foreign law enforcement agencies, and fusion centers as relates to the development of the HART biometric database that will replace the Automated Biometric Identification System [IDENT] database. Additionally, given the program's past and ongoing challenges in meeting cost, schedule, and performance goals, the Department shall ensure an independent review and evaluation of revised program plans during fiscal year 2022. Additionally, the Committee is concerned that DHS has relied on information obtained through State Department foreign intelligence sharing programs to make determinations to separate family units at the U.S.–Mexico border. In cases where DHS relies on information obtained through the HART database or through U.S. State Department foreign intelligence sharing, to separate a minor child from a parent, primary caregiver, or close relative who is caring for or traveling with that child, DHS shall report this incident to the DHS Office of the Inspector General and Office of Civil Rights and Civil Liberties within 24 hours of the separation.

Semi-Annual Briefings.—OBIM is directed to continue briefing the Committee on a semiannual basis on its workload, service levels, staffing, modernization efforts, and other operations.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$214,795,000
Budget estimate, 2022	396,371,000
Committee recommendation	346,371,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$346,371,000 for Procurement, Construction, and Improvements [PC&I], which is \$50,000,000 below the budget request amount and \$131,576,000 below the fiscal year 2021 enacted level.

Consolidation of Leases in the National Capital Region and DHS Headquarters.—The Committee provides \$209,700,000, as requested, for continuing DHS Headquarters construction at St. Elizabeths, to include new construction for Intelligence and Analysis [I&A], ICE, and a portion of CBP, and continues consolidation of the Management Directorate, the Science and Technology Directorate, OBIM, and FPS. Corresponding funding in support of these activities is also provided to the General Services Administration. Within 30 days of the date of enactment of this act, the Department shall provide the Committee with an updated plan for St. Elizabeths certified by the Secretary to include cost savings associated with buildout of new facilities for I&A and ICE. This updated building plan shall also include the Department’s views for all components within DHS, but not currently onsite, on the advantages and disadvantages of relocating to St. Elizabeths.

Financial Systems Modernization [FSM].—The Committee recognizes the recent progress by the Department to modernize component agencies financial management systems to improve financial accountability and reporting, including the successful transitions by TSA, CWMD, and USCG. Additionally, the Committee notes recent schedule delays decrease funding needed in fiscal year 2022 and therefore provides \$79,382,000 for FSM, \$30,000,000 less than the request. The Committee continues to direct the Department within 90 days of the date of enactment of this act to provide a strategy for the acquisition of software and services related to FSM, including an analysis of alternatives and a plan for how the Department will ensure full and open competition in the award of all related contracts. Furthermore, the Committee is concerned that an expectation of implementation by components exists for these efforts without properly planning for contingencies that preserve congressional prerogatives, and consequently the Department is encouraged to ensure transitional flexibility.

HART Development and Deployment.—The recommendation includes a decrease of \$25,000,000 in recognition of ongoing cost, schedule, and performance challenges, derailing implementation of new operational capabilities for DHS agencies. Within 45 days of the date of enactment of this act, DHS shall provide a briefing to the Committee on the status of a revised program baseline and whether the DHS Acquisition Review Board has approved that revised baseline. The briefing shall also include steps the Depart-

ment is taking to minimize future delays, and, as noted elsewhere in this statement, the timeframe to conduct an independent verification and validation of revised HART development plans.

FEDERAL PROTECTIVE SERVICE

Appropriations, 2021	\$1,588,748,000
Budget estimate, 2022	1,625,000,000
Committee recommendation	1,625,000,000

The Federal Protective Service [FPS] is responsible for: the security and protection of Federal property under the control of the General Services Administration [GSA]; the enforcement of laws pertaining to the protection of persons and designated property; the prevention of breaches of peace; and enforcement of any rules and regulations made and promulgated by the GSA Administrator or the Secretary. The FPS authority can also be extended by agreement to any area with a significant Federal interest. The FPS account provides funds for the salaries, benefits, travel, training, and other expenses of the program.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,625,000,000 for FPS, as requested, and these amounts are offset by collections paid by GSA tenants and credited to the account.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

FEDERAL PROTECTIVE SERVICE
[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
FPS Operations	387,500	393,333	393,333
Countermeasures	1,201,248	1,231,667	1,231,667
Subtotal, Federal Protective Service	1,201,248	1,231,667	1,231,667
Offsetting fee collections	-1,588,748	-1,625,000	-1,625,000

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

The Intelligence, Analysis, and Operations Coordination appropriation supports activities to improve the analysis and sharing of threat information and includes activities of the Office of Intelligence and Analysis [I&A] and the Office of Operations Coordination [OPS]. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION
[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	298,500	320,620	320,620

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION—Continued

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Subtotal, Intelligence, Analysis, and Operations Coordination	298,500	320,620	320,620

OPERATIONS AND SUPPORT

Appropriations, 2021	\$298,500,000
Budget estimate, 2022	320,620,000
Committee recommendation	320,620,000

Please reference the classified Intelligence, Analysis, and Operations Coordination annex for further information.

COMMITTEE RECOMMENDATIONS STATE

The Committee recommends \$320,620,000 for Operations and Support [O&S], as requested, and \$22,120,000 above the fiscal year 2021 enacted level. The details of these recommendations are included in a classified annex accompanying this explanatory statement.

Annual Budget Justification Materials.—The Committee directs that the fiscal year 2023 budget justification materials for the classified budget shall include the same level of detail required for other appropriations and PPAs.

Intelligence Expenditure Plan.—The Department’s Chief Intelligence Officer is directed to brief the Committee on the I&A expenditure plan for fiscal year 2022 within 180 days of the date of enactment of this act. The plan shall include the following:

- fiscal year 2022 expenditures and staffing allotted for each program as compared to fiscal years 2017 through 2021;
- all funded versus on-board positions, including FTE, contractors, and reimbursable and non-reimbursable detailees;
- a plan for all programs and investments, including dates or timeframes for achieving key milestones;
- allocation of funding within each PPA for individual programs and a description of the desired outcomes for fiscal year 2022; and
- items outlined in the classified annex accompanying this explanatory statement.

OFFICE OF INSPECTOR GENERAL

The Office of Inspector General [OIG] conducts audits, inspections, investigations, and other reviews of the Department’s programs and operations. OIG promotes economy, efficiency, and effectiveness of the Department, with the goal of preventing and detecting fraud, waste, and abuse.

OPERATIONS AND SUPPORT

Appropriations, 2021	\$190,186,000
Budget estimate, 2022	205,359,000
Committee recommendation	205,359,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$205,359,000 for Operations and Support [O&S], which is the same as the budget request and \$15,173,000 above the fiscal year 2021 enacted level.

OPERATIONS AND SUPPORT

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	190,186	205,359	205,359
Total, Office of Inspector General	190,186	205,359	205,359

Inspectors General across the government, including the Department’s OIG, perform a critical function on behalf of the Congress and the American public. OIG estimates that its work to deter waste, fraud, and abuse saves the Department \$39.37 for every \$1.00 obligated in support of OIG operations.

Expenditure Plan.—Information accompanying OIG’s fiscal year 2023 budget request shall include a detailed expenditure plan and include information that breaks down proposed expenditures by focus area and activity type.

Custody Operations Reporting.—OIG shall continue its program of unannounced inspections of immigration detention facilities. OIG shall publish its final report regarding the inspections within 180 days of the date of enactment of this act. The Secretary shall ensure that the results of the inspections, and other reports and notifications related to custody operations activities, are posted on a publicly available website.

Strategic Plan.—The Committee commends OIG for developing a 5-year Strategic Plan. Within 90 days of the date of enactment of this act, OIG shall brief the Committee on the Strategic Plan, which shall include an update on the status and effectiveness of the ongoing implementation of the Plan. The briefing shall also address the June 2021 Government Accountability Office [GAO] Report entitled, “Actions Needed to Address Long-Standing Management Weakness,” and specifically respond to each recommendation raised by the GAO.

Denial of OIG Access to Records and Information.—The Committee is concerned about inappropriate denials and delayed responses by DHS component agencies to OIG requests. The OIG shall provide a monthly report to the Committee concerning efforts of components to prevent or impede OIG access to such records, documents, or other materials. The report shall include at a minimum, a summary of the OIG request, including the justification or legal rationale for the request, a description of the component response to the request, and any other information the OIG determines is appropriate.

TITLE I—ADMINISTRATIVE PROVISIONS

Section 101. The Committee continues a provision regarding grants or contracts awarded by means other than full and open competition and requires OIG to review them and report the results to the Committee.

Section 102. The Committee continues a provision requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 30 days after the close of each month.

Section 103. The Committee continues a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 104. The Committee continues a provision requiring the Secretary, in conjunction with the Secretary of Treasury, to notify the Committee of any proposed transfers from the Department of the Treasury Forfeiture Fund to any agency at the Department.

Section 105. The Committee continues a provision related to official travel costs of the Secretary and Deputy Secretary.

TITLE II
SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

U.S. Customs and Border Protection [CBP] is responsible for enforcing laws regarding the admission of foreign-born persons into the United States and for ensuring that all goods and persons entering and exiting the United States do so legally.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$14,537,933 for CBP, which is \$79,656,000 below the budget request amount and \$500,624,000 below the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	12,908,923	13,426,809	13,605,535
Small Airport User Fee	9,000	9,000	9,000
Columbia Free Trade Collections	281,000	206,000	206,000
Procurement, Construction, and Improvements	1,839,634	925,780	717,398
Total, Customs and Border Protection	15,038,557	14,617,589	14,537,933
Estimated fee collections:			
Immigration inspection user fee	793,876	394,772	394,772
Immigration enforcement fines	227	209	209
ESTA	63,417	11,084	11,084
Land border inspection fee	59,364	36,018	36,018
COBRA fee	681,412	359,380	359,380
APHIS inspection fee	582,187	533,104	533,104
Global entry user fee	199,939	167,000	167,000
Puerto Rico Trust Fund	152,291	224,818	224,818
Virgin Island fee	11,442	10,415	10,415
Customs Unclaimed Goods	3,690	1,671	1,671
9/11 Response and Biometric Account	61,000	29,563	29,563
Total, Estimated fee collections	2,408,906	1,601,034	1,601,034
Reimbursable Preclearance	39,000	39,000	39,000
Total, U.S. Customs and Border Protection, available funding	17,686,402	16,424,623	16,344,967

Integrating CBP Budget Requests.—CBP requires a wide range of investments, including personnel, equipment, infrastructure, technology, and other assets in order to effectively execute their varied

and complex missions. To date, the Committee receives individual requests for funding and must assess and fund these requests as stand-alone budget proposals with limited justifications that do not take into account the relationships between these investments. The Committee continues its direction to CBP to include with any requests for new funds the following information as part of detailed budget justifications: a description of the relationship between investments; data on how a change in one investment may impact another; and how the investments will improve performance. In providing this data, CBP should use advanced analytics and modeling tools that capture how changes in resources may impact operational capabilities to inform investment decisions in priority programs. The Committee directs CBP to accelerate efforts to adopt and incorporate these types of tools and provide a briefing within 60 days of the date of the enactment of this act on how the agency will comply with this requirement.

Developing and Using Predictive Analytics.—From projecting changes in legitimate travel and trade to the United States to estimating the flow of people and illicit items to our borders, the use of predictive analytics brings a vital new understanding of how CBP can respond to future behaviors and situations in a more prepared and cost effective manner. The Committee directs CBP to marshal its considerable resources to develop and apply predictive analytics to inform both the fiscal year 2023 budget submission and other planning activities. CBP shall provide a briefing to the Committee on a plan to comply with this requirement within 45 days of the date of enactment of this act.

Strengthening Border Security Capabilities at and Between Ports of Entry.—The bill rescinds \$1,893,662,867 in prior year funding for border barriers, and repurposes those funds to provide significant increases to improve the security of and operations at our borders and ports of entry. Many of these investments are proven and innovative capabilities that serve as key workforce multipliers for front-line personnel. Others are much needed investments to address critical gaps in DHS and CBP capabilities, including building multi-purpose facilities that will support the operations of several agencies involved in the processing of noncitizens encountered at the border. By design, these new facilities will streamline processing, reducing the time-in-CBP custody and the operational challenges that result from surges to the border. Further, the repurposed funds will also support a range of critical investments to aid the CBP workforce such as obtaining the services of suicide prevention clinicians.

The rescission of these funds makes possible a wide range of investments in critical areas, including: (1) \$415,000,000 in support of pay raises and retirement benefits for CBP's 64,000+ workforce; (2) \$124,000,000 for border security technologies, \$70,000,000 above the request, for a range of capabilities including relocatable surveillance capabilities, team awareness kits, and small unmanned aerial systems; (3) \$68,000,000 for non-intrusive inspection equipment, \$36,000,000 above the request to continue upgrading CBP scanning capabilities at ports of entry to detect and seize narcotics and other illicit cargo; (4) \$130,000,000 for three Central Processing Centers, \$100,000,000 above the request to build perma-

ment capacity on the border; (5) \$105,000,000 for CBP costs associated with the three new LPOE modernization projects funded at GSA; (6) \$50,000,000 for the new land variant Multi-Role Enforcement Aircraft; (7) \$50,000,000 for transfer to the Department of the Interior to begin environmental remediation efforts to mitigate the impacts of border barrier construction; (8) \$40,000,000 for IT modernization efforts to simplify CBP processing of noncitizens, including automation of A-files and development of identity verification capabilities that will reduce redundant biographic and biometric collection of recidivists; (9) \$21,000,000 to expand training capacity for CBP personnel; (10) \$20,000,000 for the deployment and use of body-worn cameras for Border Patrol agents; (11) \$20,000,000 to combat the rising number of suicides of employees and to increase caregiver and child care services; and (12) \$14,550,000 to obtain the services of child welfare professionals at CBP facilities along the border.

Opioid Enforcement Activities.—The Committee notes the critical role CBP plays in preventing the flow of opioids into the United States. The Office of Field Operations [OFO] and U.S. Border Patrol personnel seizures of illicit fentanyl have increased significantly from approximately two pounds seized in fiscal year 2013 to 10,469 pounds seized in fiscal year 2021, as of August 2021. The Committee continues to prioritize funding for personnel and technology in support of increased detection and seizures of illegal narcotics.

OPERATIONS AND SUPPORT

Appropriations, 2021	\$12,908,923,000
Budget estimate, 2022	13,426,809,000
Committee recommendation	13,605,535,000

The CBP Operations and Support [O&S] appropriation provides funds for border security, immigration, customs, agricultural inspections, the regulation and facilitation of international trade, the collection of import duties, and the enforcement of U.S. trade laws. In addition to directly-appropriated resources, fee collections ranging from immigration, cargo, and agriculture inspections; public-private partnership reimbursements, travel authorizations; registered traveler programs; and other programs are available for the operations of CBP.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$13,605,535,000 for O&S, which is \$178,726,000 above the budget request amount and \$696,612,000 above the fiscal year 2021 enacted level. This total includes \$3,274,000 from the Harbor Maintenance Trust Fund.

Resource Prioritization.—Appropriately resourcing the varied and complex missions of CBP requires a clear understanding of how changes in personnel, equipment, and other assets are expected to impact mission performance. The Committee directs CBP to brief the Committee bimonthly on efforts to evaluate CBP-wide workload, capabilities, assets, and human resource gaps and to use the results of the quarterly analyses to support the fiscal year 2023 budget request.

Recruitment, Hiring, and Retention.—Within 180 days of the date of enactment of this act, CBP shall brief the Committee on its efforts to improve hiring and retention at all of its law enforcement components, including existing and planned strategies and initiatives to accomplish this goal. Given hiring and retention challenges, CBP shall prioritize and continue efforts to use available incentives to recruit and retain employees in rural and remote areas and explore other strategies, such as innovative pilot programs that include successful strategies from the private sector, career path enhancements, alternative schedules, and workforce support programs for employees who are willing to choose such locations. Further, CBP shall ensure that those strategies and initiatives include women and other traditionally under-represented population groups and that appropriate anti-harassment protocols are in place. CBP shall ensure that staff are trained on recognizing signs of trauma exposure, understanding common behaviors of people exposed to trauma and trauma-informed practices. The Committee encourages CBP to review DHS’s Memorandum of Understanding with the Department of Defense [DOD] for potential participation in the DOD Skill Bridge program as an opportunity to identify, recruit, and train highly qualified applicants from the population of service members who are transitioning from active duty in order to address staff shortages across the agency and potentially reduce the personnel costs associated with training new employees.

Law Enforcement Suitability Analysis.—The Committee recognizes that the polygraph test continues to elicit serious admissions of criminal conduct by prospective CBP law enforcement employees and remains concerned with the high polygraph failure rate for potential CBP hires. The Committee directs CBP to submit a report on the effectiveness of polygraph tests within 120 days of the date of enactment of this act. The report shall again include data comparing CBP’s failure rates to those of other Federal law enforcement agencies; a list of admissions elicited during polygraph tests since CBP implemented a mandatory polygraph test requirement; and details regarding the total and annualized number of such admissions and types of admissions. The Committee directs CBP to continue to administer the Law Enforcement Pre-Employment Test, the standard pre-employment screening polygraph examination used by multiple Federal law enforcement agencies, to all applicants.

Northern Border Strategy Implementation Plan.—The Committee remains concerned about threats to the United States passing through the northern border. In 2016, through the Northern Border Security Review Act (Public Law 114–267), Congress directed the Department to conduct a northern border threat analysis, which culminated in a strategy to secure the northern border and an accompanying implementation plan in order to achieve the strategy. The Northern Border Strategy Implementation Plan is a 5-year action plan identifying the milestones necessary to fully achieve the strategic plan by 2023. Within 90 days of the date of enactment of this act and quarterly thereafter, CBP shall brief the Committee on the status of the Northern Border Strategy Implementation Plan, including whether the fiscal year 2020 milestones have been achieved, the status of the fiscal year 2021 milestones, and, in the

case where a milestone has not been achieved, detailed justifications explaining the failure to achieve the milestone. Further, the Committee expects the fiscal year 2023 budget request to detail specific northern border staffing and technology requirements and request specific funding for implementation of planned northern border enforcement initiatives enumerated in the analysis.

Operational Impact of Processing Coordinators.—The Committee supports investments that result in CBP’s law enforcement personnel spending more time on the front-lines, and continues to invest in mission support staff, including processing coordinators. Those coordinators will be performing administrative and other duties at a fraction of the costs of law enforcement personnel. Within 120 days of the date of enactment of this act, and quarterly thereafter, CBP shall provide a briefing to the Committee on the status of hiring activity for processing coordinators funded within this and previous appropriations acts, including the status of all such law enforcement personnel returned to the field as a result of new coordinators, the measures the agency is using to assess the costs and benefits of this position, and a summary of all training and certifications coordinators must take or meet in order to qualify for the position. Future funding requests for these coordinators shall be accompanied with measures clearly detailing the operational impact of additional investment.

Humanitarian Protections for Asylum Seekers.—The Committee is concerned about the criminal prosecution of individuals who are seeking humanitarian protection. The Committee reminds the Department of the United States’ international obligations under the Refugee Convention and its implementing protocols. The United States is a signatory to the 1967 United Nations Protocol Relating to the Status of Refugees, which discourages the criminal prosecution of people seeking humanitarian protection. Given these international obligations, it is troubling to hear reports of asylum seekers referred for criminal prosecution before their refugee status is determined.

BORDER SECURITY OPERATIONS

The Committee recommends \$5,239,378,000 for Border Security Operations, which is \$71,500,000 above the budget request amount and \$369,945,000 above the fiscal year 2021 enacted level.

Workload Staffing Model for Between the Ports.—The Committee has provided significant resources toward border security across all resource types, ranging from personnel, infrastructure, equipment, and aircraft, as well as ground, air, and marine surveillance capabilities. To understand how these investments impact requirements for Border Patrol agents, Processing Coordinators, and other mission support staff, the Committee, again, reiterates its request for CBP to develop a comprehensive workload staffing model that takes into account how these investments inform the operational requirement for agents, coordinators, and support staff. Within 30 days of the date of enactment of this act, CBP shall provide a briefing to the Committee on the development of a model that clearly demonstrates the impact, with data, that existing and potential resources are expected to have on personnel needs. Within 60 days of the date of enactment of this act, CBP shall provide a report to

the Committee detailing the model and the process that CBP used to create and validate the model. The report shall include descriptions of: (1) steps and associated timelines taken to create the model and resources used to develop it; (2) data sources and methodology used to generate the model; (3) actions taken to independently verify the model, including on the following dimensions: data source analysis and findings; variables and assumptions; processes, information, distribution, and reporting; advanced analytics; and probability and risk analysis; (4) an inventory of Border Patrol technology assets, and how those assets and their capabilities inform workload staffing requirements; and (5) a plan for periodically updating and improving upon the model, including a plan for incorporating planned technological investments and associated force multiplier effects into the model, including changes in programs and processes, air and marine assets, and deployment of additional surveillance technologies.

Border Security Technology Gaps.—The Committee notes the requirement in Public Law 116–260, the Consolidated Appropriations Act of 2021, for DHS to examine technology gaps along the southwest border—both at ports of entry and between ports of entry. This critical analysis should guide CBP decisions on improving its technology development and acquisition. Within 180 days of the date of enactment of this act, CBP shall brief the Committee on its efforts to improve border security technology development and acquisition based on the analysis required by Public Law 116–260.

Border Barriers Environmental Remediation.—The Committee provides \$50,000,000 for transfer to the Department of the Interior for mitigation activities, including land acquisition, related to construction of border barriers on Federal lands. In April 2021, the Government Accountability Office [GAO] released their report, “Border Security: Assessment of the Department of Homeland Security’s Border Security Improvement Plan” which evaluated whether the fiscal years 2019–2020 Border Security Improvement Plan complied with congressional requirements. GAO’s report found that DHS’s plan did not include an analysis of the environmental impacts of border barriers in eight of nine Border Patrol sectors. Therefore, within 120 days of the date of enactment of this act, the Commissioner of CBP shall work with the appropriate agencies at the Department of the Interior to convene a multi-agency process to identify harm inflicted by construction of border barriers on private land, Tribal land, flood-prone areas, and wildlife corridors, as well as recommended remediation measures. The multi-agency process shall include consultation with local, State, and Tribal governments, landowners, and non-governmental organizations with environmental and cultural preservation expertise. The Commissioner shall detail a data-driven plan to develop mitigation strategies in response to border barrier related construction. This strategy shall ensure that any actions taken maintain security along the border.

Specialty Units.—Within 180 days of the date of enactment of this act, CBP shall report to the Committee about the needs of specialty units, including horses and off-road vehicles, within each sector along the U.S. Mexico border to better identify whether resources or additional specialty unit needs exist.

Medical Care along the Southwest Border.—The Committee provides the requested amount of \$163,000,000 for CBP’s medical support contract activities to support the care for noncitizens in CBP custody, including at Border Patrol Stations, Central Processing Centers, other forward deployed locations, and any temporary facilities CBP has stood up. The funding shall address medical concerns and provide first aid and triage and low acuity treatment. The scope of services includes administrative requirements, logistical support, medical screening, evaluation and treatment, reporting tasks, and program management support. Within 60 days of the date of enactment of this act, CBP shall provide to the Committee a briefing on the number of noncitizens this level of funding allows them to support along with a detailed breakout of the types of care provided.

Body-Worn Cameras.—The Committee provides \$20,000,000 above the request to ensure previously funded body-worn cameras are fully deployed and used in fiscal year 2022. Additionally, the Committee directs CBP to require the use of fixed, vehicle, and body-worn cameras for officers and agents in interactions with the public, through the use of its Incident-Driven Video Recording System program, to provide an accurate representation of law enforcement encounters while allowing agents and officers to safely perform their duties. CBP shall comply with Department-wide policy to protect the privacy of both CBP law enforcement personnel and the public and to ensure the appropriate infrastructure is in place to support the implementation of body-worn cameras, including any associated storage and video management system requirements. Within 90 days of the date of enactment of this act, CBP shall provide the public and the Committee an execution plan with an implementation schedule to deploy body-worn cameras.

Border Patrol Transportation Capabilities.—The Committee provides \$25,000,000 to improve the transportation capabilities and capacity of Border Patrol. These additional resources will allow CBP to fully leverage facilities along the border to avoid overcrowding.

Transportation Checks and Roving Enforcement.—The Committee directs CBP to collect and semiannually report to the Committee data pertaining to Border Patrol transportation and immigration checkpoints. The report shall exclude law enforcement sensitive information and include necessary redactions of all personal and identifying information about specific individuals. The report shall include, at a minimum, the total number of patrol stops made by CBP personnel during transportation checks and a description of the boarding of public conveyances by CBP personnel at air, maritime, and land environments, including ports and terminals. Additionally, the report shall include the following information when an arrest is made: the total number of arrests by location; the total number of use-of-force incidents during an arrest by location; the citizenship status of any individual arrested; and the total amount of drugs, currency, and firearms seized as a result of transportation checks. The report shall also include the following information pertaining to immigration checkpoints: the location of all tactical and permanent checkpoints that were in operation for any period of time; the total number of arrests by location; the total

number of use-of-force incidents during an arrest by location; the citizenship status of subjects stopped or arrested following secondary inspection at checkpoints; and the total amount of drugs, currency, and firearms seized at checkpoints.

Reporting Requirements for Deaths in Custody.—The Committee is aware of and supportive of, CBP’s Interim Procedures on Notifications on Deaths in Custody issued on December 17, 2018. The Committee directs CBP to ensure agents have sufficient training to carry out the agency’s procedures on notifications on deaths in custody. CBP shall ensure that all notifications, as required by the policy, occur in a timely manner, including timely notification to the applicable consulate, congressional committees, and other agency stakeholders. Any notifications required in the policy shall follow the appropriate privacy laws, where applicable. CBP shall make publicly available any change to this policy and shall keep any such active policy covering in-custody deaths available on a public facing website. CBP shall continue to provide the following data required in House Report 116–80 regarding migrant death. Not later than 90 days after the submission of the report on migrant deaths described in House Report 116–80, the Comptroller General of the United States shall review such report to determine the following: (1) the validity of CBP’s statistical analysis of migrant deaths; (2) the extent to which CBP has adopted simple and low-cost measures, such as rescue beacons, to reduce the frequency of migrant deaths; (3) the extent to which CBP measures the effectiveness of its programs to address the frequency of migrant deaths; and (4) the extent of data and information sharing and cooperation between CBP, local and State law enforcement, foreign diplomatic and consular posts, and nongovernmental organizations to accurately identify deceased individuals and notify family members and compare information to missing persons registries. The remains of thousands of women, men, and children have been found along migrants’ border crossing routes and thousands more are believed to lie unrecovered. The Committee encourages CBP to expand engagement with its State and local counterparts and nongovernmental organizations to address this humanitarian challenge.

Short Term Detention.—The Committee is sympathetic to the operational needs of CBP which can fluctuate greatly, with surges to the border resulting in overcrowding in facilities presenting safety and health risks to individuals in custody, particularly children, as well as to CBP personnel. CBP shall continue to follow the directives in the explanatory statement accompanying Public Law 116–260 related to Holding Facility Length of Stay and Short-Term Detention, as well as the directives in House Report 116–458 on Initial Health Screenings, High-Priority Populations, Medical Equipment and Personnel, Access to Water and Food, Holding Facility Standards, Consumables, Child Welfare Professionals, Families in Custody, Personnel Training, Migrant Property, and Migrants-Safety. However, the Committee’s expectations should not be construed to interfere with the rights obtained, or obligations owed, by any Federal consent decree. Additionally, within 180 days of the date of enactment of this act, the Commissioner shall provide a report to the Committee on infrastructure changes, training protocols, and other investments to ensure the safe, humane, and or-

derly processing and prompt release or transfer of single adults, families, and unaccompanied children in CBP custody, in compliance with the CBP National Standards on Transport, Escort, Detention, and Search as well as the Flores Settlement. As part of the report, the Department shall solicit and include feedback and suggestions from non-governmental, non-profit organizations with a focus on immigration and civil rights to improve stakeholder monitoring and access policy at CBP facilities.

Missing Migrant Program and Rescue Beacons.—The Committee recommends \$3,000,000, an increase of \$1,500,000 above the request to expand the Missing Migrant Program and increase resources for the acquisition and deployment of additional rescue beacons.

Non-Mission Duties.—The Committee is aware that CBP personnel are carrying out the duties of other Federal agencies or components, known as “non-mission duties.” Not later than 30 days after the date of enactment of this act, CBP shall submit to the Committee a detailed report which shall include: (1) the total number of CBP agents or officers carrying out non-mission duties; (2) identification of the funding source associated with non-mission duties; (3) the rationale for CBP personnel to perform non-mission duties and the duration they are expected to perform those duties; (4) a detailed description of all required training for CBP agents and officers in order to carry out the non-mission duties; and (5) identification of any impacts to CBP’s mission due to agents and officers carrying out non-mission duties.

TRADE AND TRAVEL OPERATIONS—OFFICE OF FIELD OPERATIONS [OFO]

The Committee recommends \$4,846,282,000 for OFO, which is \$72,396,000 above the request and \$232,058,000 above the fiscal year 2021 enacted level.

Opioid Enforcement.—The Committee continues support for CBP’s opioid enforcement activities and remains deeply concerned about the opioid epidemic that has taken the lives of many thousands of Americans.

Enhancement of Supply Chain Security.—The Committee believes that improving interoperability will be an important step to modernize trade operations while strengthening supply chain security. Within 180 days of the date of enactment of this act, CBP shall provide a briefing with recommendations on how innovative capabilities, including blockchain-based platforms, may improve trade operations between the United States and Central and South American countries, including potential opportunities for partnership with non-profit and private partners and with Central and South American Customs Agencies.

Combating Transportation of Firearms and Illicit Funds.—The Committee is concerned that illicit monetary instruments and firearms continue to be smuggled from the United States into Mexico, fueling transnational criminal organization activities, including drug trafficking and violent crime. The Committee encourages CBP to continue to collaborate with domestic and international partners to disrupt the flow of finances that support these activities and report to the Committee any additional authorities or resources needed to stymie the flow.

International Mail and Express Consignment Facilities.—CBP’s continued collaboration with the U.S. Postal Service and the Food and Drug Administration [FDA] at International Mail and Express Consignment Facilities is key to reducing the entry of scheduled narcotics and other illicit and restricted drugs (and their precursor materials) through these facilities. The Committee recognizes that illicit substances are often smuggled or mailed in small amounts, making it challenging for CBP to detect. Previously provided funds, and funds provided in this act, shall be made available for facility improvements; detection and testing equipment upgrades; increased capacity for testing and storing illegal and regulated substances; interoperability improvements with FDA detection equipment; and innovative technologies that apply advanced analytics and machine learning capabilities.

Identifying Fentanyl Analogues and Related Substances at the Southwest Border.—The Committee commends CBP on ongoing efforts to interdict fentanyl, fentanyl-related substances, and fentanyl analogues along the southwest border. The Committee believes that disaggregated data related to these substances would better inform all Federal agencies working to reduce fentanyl-related overdose deaths. Within 60 days of the date of enactment of this act, the Committee requests CBP provide a briefing on options to publicly report in a manner that is consistent with its current monthly seizure reports for marijuana, cocaine, heroin, and fentanyl, the names of fentanyl-related substances and fentanyl-analogues it seizes.

Field Operations Staffing.—The Committee provided funding in fiscal year 2020 for hiring 600 new CBP officers and support personnel to address the need for additional officers to facilitate legitimate trade and travel while simultaneously preventing the entry of illicit goods and narcotics and inadmissible persons. It is imperative that sufficient personnel be present at all POEs to adequately staff inspection lanes for passenger processing and operate all technologies that inspect for and interdict illegal drugs, including opioids and fentanyl. Additional officers previously funded by the Committee will also alleviate the need to temporarily assign officers to other ports or regions, such as the southern border, to conduct surge operations or duties of other Federal agencies. The Committee directs CBP to ensure that officers are appropriately deployed to large hub international airports and seaports in non-contiguous border States. CBP shall provide the staffing of new and expanded aviation POEs to meet the demand of arriving passenger volumes based on data provided by the airport and airlines and incorporated into the Workload Staffing Model. The Committee directs CBP to assess staffing shortages at land ports of entry that have experienced significant growth in trade volume and inbound commercial trucks in the last 5 years.

Northern Border Land Ports of Entry [LPOEs].—The Committee encourages CBP to continue to work with the General Services Administration [GSA] and the Office of Management and Budget on its annual 5-year plan, Land Port of Entry Modernization: Promoting Security, Travel, and Trade. The plan is based on CBP’s operational priorities and should include plans to complete the modernization of pre-9/11 LPOEs along the northern border. CBP

shall prioritize staffing shortages at northern border LPOEs in an effort to expedite cross-border tourist and commercial traffic while providing significant consideration to the health, safety, and welfare needs of CBP officers. Additionally, the Committee continues to encourage CBP to explore options for 24-hour use of NEXUS at LPOEs where warranted. Further, the Committee expects CBP to examine ways to increase awareness and enrollment in the NEXUS program, including through special enrollment events and the deployment of signage in collaboration with State transportation agencies. The Committee anticipates expansion of this program and directs CBP to consider projected volume at LPOEs when developing the 5-year plan for port modernization projects.

Northern Border Security and Assets.—The Committee remains concerned about threats to the United States passing through the northern border and notes that the northern border threat analysis, required by Public Law 114–267 and received on June 12, 2018, provided information on how best to deploy resources along the northern border, but lacked specificity regarding the targeted deployment of personnel and resources. The Committee expects the fiscal year 2023 budget request to detail specific northern border staffing requirements and request specific funding for implementation of planned northern border enforcement initiatives enumerated in the analysis.

Further, the Committee remains concerned with the diversion of staff assigned to the northern border to efforts along the southwest border. CBP is directed to notify the Committee should CBP determine that it is necessary to divert more than 10 percent of staffing in any sector along the northern border to other assignments along the southwest border or other ports of entry. The notification shall occur within 15 days of deployment and include the number and location of the personnel diverted, the duration of the diversion, and when the personnel shall return to their posts.

Maritime Ports of Entry.—The Committee continues to support robust staffing at the Nation’s cargo and passenger maritime POEs. Within the funds provided for O&S, CBP shall ensure adequate staffing at new and expanded maritime POEs in order to meet peak passenger wait time goals.

Border Security Deployment Program [BSDP].—The Committee understands CBP plans to continue support for BSDP at \$11,000,000 and commends CBP on its work in executing BSDP as the program provides CBP with a comprehensive, integrated, and continuous surveillance and intrusion detection system at LPOEs. BSDP improves the safety and security of CBP officers, Border Patrol agents, and the traveling public and facilitates cross-border trade. The program provides a valuable contribution to the prevention and detection of potential corruption among CBP officers by allowing for court admissible video and audio recordings. BSDP provides critical real-time surveillance by using over 15,000 sensors across all LPOEs; such sensors are utilized at 24-hour operating and non-24-hour operating U.S. POEs. Such sensors allow for a better allocation of resources and manpower by acting as a significant force multiplier. CBP shall provide the Committee a briefing within 120 days of the date of enactment of this act on the agency’s plan to expand BSDP at LPOEs.

Agricultural Inspections.—The Committee recognizes that agricultural specialists are crucial for ensuring trade and travel safety; preventing the introduction of harmful exotic plant pests and foreign animal diseases, including from Asian pork products; and averting potential agricultural and bio-terrorism in the United States. Currently, many POEs are understaffed relative to CBP's Workload Staffing Model, as well as the Agriculture Resource Allocation Model. CBP shall continue working with the U.S. Department of Agriculture to better leverage existing staff in addressing the agricultural inspection workload, such as through the authorization of additional work hours or dual certification.

Land Ports of Entry Hours of Operation.—The Committee has determined that a fair assessment of the impact on local and regional economies versus the cost to the taxpayer should be performed before hours of operation are reduced at any LPOEs. The Committee directs CBP to consult with elected officials at all levels, community members, as well as industry prior to making changes and adjusting hours to balance the needs of all stakeholders, as appropriate. The Committee urges CBP to conduct robust analysis to include economic impacts prior to any reduction in hours of operations. The Committee welcomes proposals from CBP aimed at improving the recruitment and retention of CBP personnel at remote northern border POEs to sustain appropriate operating hours. To assist with the challenges relating to operating hours, the Committee directs CBP to establish a pilot program for the co-location of CBP and Canada Border Services Agency border agents at remote LPOEs, which will meet two agency requirements, maintain border security, and reduce costs.

Reimbursable Services Programs.—The Reimbursable Services Program enables partnerships with private sector and government entities to provide additional inspection services on a reimbursable basis upon request for stakeholders. These reimbursable programs are not to supplant baseline service levels, but instead are used to supplement enhancement requests for service that CBP would be otherwise unable to perform. To better establish expectations for all parties, the Committee directs CBP to provide each port operator with information on baseline service levels and report to the Committee quarterly on CBP's adherence to these baseline service levels. Additionally, the Committee continues a previous request for CBP to include information on requirements for staff, facility, and security upgrades for seaports to include marine and cruise terminals. It should address staffing shortages, upgraded facility and security requirements, and plans for technology recapitalization; the process used to decide how initiatives are funded; a justification for the scope of the requests; and how CBP will negotiate and incorporate the ports' involvement into the development of their capital management plan to allow for early identification and planning for future facility and security needs.

The Committee encourages CBP to temporarily defer all current and future seaport facility requests until it has provided details on baseline service levels to each port operator and provides the Committee with estimates for future facility and security requirement upgrades and associated federally-mandated technology.

Expansion of Arizona Border Zone Pilot.—The Committee commends CBP for exploring opportunities to reduce administrative costs while maintaining appropriate security in support of legitimate trade and travel on the borders, as evident from an ongoing pilot program in Arizona that allows eligible Mexican nationals to travel in certain areas of Arizona without having to stop at the border, obtain a Form I-94 Visa, and pay the associated fee for each entry. Initial benefits from this pilot have shown both a decrease in costs to CBP and an increase in revenue to local communities' economies as a result of additional opportunities for freedom of movement. The Committee strongly encourages CBP to expand this pilot to include the entire State of Arizona, allowing eligible Mexican nationals to travel to other parts of Arizona beyond the existing 75 mile limit, including Phoenix, Sedona, the Grand Canyon, and the Native American reservations. The pilot expansion shall not change who would be eligible for a visa, the duration of each visit, or the method of entry. A recent study by the University of Arizona estimated expansion of the pilot would increase spending in Arizona by more than \$180,000,000. CBP identified potential savings of nearly \$3,000,000 in the Tucson sector alone, freeing up CBP officers from administrative duties. CBP shall provide a briefing to the Committee within 60 days of the date of enactment of this act on a plan for the pilot expansion, which shall include a plan to update applicable Federal rules and regulations to ensure compliance.

Preclearance.—The Committee notes the continued success of the Preclearance program in expediting the security process for passengers traveling to the United States, while simultaneously enforcing procedures that deter and detect national security threats from individuals, groups, or cargo attempting to enter the United States. Fees collected for this program shall be used in a targeted, risk-based fashion and shall prioritize the expansion of preclearance operations as outlined in the Department's Beyond the Border Action Plan between the United States and Canada for land, marine, rail, and air POEs. The Committee appreciates progress on efforts to establish preclearance for the mutually agreed upon sites of Billy Bishop Toronto City Airport, Quebec City Jean Lesage International Airport, Montreal Rail, and Rocky Mountaineer and reiterates that such expansion is contingent upon each site meeting all terms and conditions of the agreement. The Committee encourages CBP to meet the objectives for preclearance activities, including obligations in advance of reimbursement, authorized by the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125), and provides necessary funding to collect and expend reimbursements, including anticipated reimbursements for preclearance activities. As Canada has adopted companion legislation, the Committee expects CBP to make progress in negotiations with the Canada Border Services Agency, Transport Canada, and Public Safety Canada on expanding preclearance activities in Canada. The Committee also encourages CBP to consider the significant economic impact that the expansion of preclearance activities in Canada will have for U.S. communities that neighbor the northern border when prioritizing preclearance expansion projects.

Data on Asylum Seekers.—The Committee directs OFO to continue to produce a monthly report detailing for each preceding month: the POEs along the Southwest border at which queue management or metering practices have been employed; the number of asylum seekers processed at each such POE; and the number of asylum seekers turned away from each such POE due to queue management or metering practices. The Committee also requests the report include: CBP's rationale for queue management or metering practices at POEs; capacity and resource constraints leading to or requiring the implementation of queue management or metering practices at POEs; recommendations for alleviating such capacity and resource constraints at POEs; and any agreements or arrangements between CBP, or the Federal government, and Government of Mexico authorities involving efforts to restrict the number of potential asylum seekers that can access a POE prior to entering the United States. While the Committee acknowledges that CBP has provided some of the data requested, the data is incomplete and not fully responsive to the Committee's prior requests for information. Further, the Committee directs CBP to include within its monthly southwest migration reports data detailing the number of individuals claiming fear, or attempting to claim a fear of return to their home country, in addition to, and separate from, its monthly apprehension and inadmissible statistics. The data should include individuals presenting at both POEs and between POEs, claiming credible fear as a separate, distinct category from either the monthly "apprehensions" or "inadmissibles" statistics. The Committee acknowledges that CBP has provided annual statistics on the number of "credible fear apprehensions" and "credible fear inadmissibles," but directs CBP to disaggregate this data such that individuals claiming credible fear are not included within or counted towards either the "apprehensions" or "inadmissibles" statistics and do so on a monthly basis.

Border Searches and Electronics.—The Committee continues to require CBP to publish annually and make publicly available on its website data pertaining to searches of electronic devices. This data should include: the total number of U.S. persons for which a Governmental entity obtained access to the digital contents of electronic equipment belonging to or in the possession of the U.S. person at the border; the total number and nationality of non-citizens for which a Governmental entity obtained access to the digital contents of electronic equipment; aggregate data regarding the race and ethnicity of individuals for whom a Governmental entity obtained access to the digital contents of electronic equipment belonging to or in the possession of an individual at the border; and the number of times CBP searched an electronic device at the request of a Federal, State, local or foreign governmental entity, including another component of the Department, or disclosed to such entity information from any searched device.

Environmental Crimes Enforcement.—Within 120 days of the date of enactment of this act, CBP shall provide a briefing to the Committee on the activities and resources applied towards the enforcement of the Lacey Act amendments of 2008, which help address international deforestation and combat the trade of illegal wildlife and timber products. Additionally, the briefing shall in-

clude efforts by CBP to assist the U.S. Department of Agriculture's Animal and Plant Health Inspection Service with the electronic collection of data as well as continued consultations with trading partners, importers, exporters, and other interested groups as the provisions of the Act are fully implemented.

Secure Corridor Strategy.—Collaboration between CBP, the Federal Railroad Administration [FRA], Servicio de Administración Tributaria [SAT], and freight railroads has resulted in the implementation of a Secure Corridor Strategy that has improved the safety, security, and efficiency of our Nation's cross-border trade and freight movement. As part of this strategy, trains operated by certified crews are no longer required to stop for up to an hour on the Laredo International Rail Bridge in order to change crews, reducing the vulnerability of these trains to theft, vandalism, trespassing, and smuggling and decreasing the likelihood of potential delays that cause blocked highway-rail grade crossings on both sides of the border. Furthermore, by unifying cargo processing and enhancing technologies used during customs inspections, processing times have been greatly improved. The Committee encourages CBP to continue working with FRA, SAT, and freight railroads to further implement this strategy.

Advanced Electronic Data.—The Synthetics Trafficking and Overdose Prevention Act [STOP Act] required that all packages coming into the United States from foreign countries use Advanced Electronic Data by January 1, 2021. The Committee directs CBP to provide a briefing within 100 days of the date of enactment of this act on CBP's efforts to implement the STOP Act and what impact that implementation is having to prevent entry of dangerous opioids, such as fentanyl, that can be sent via parcels as small as a personal letter.

Prevent Abduction Program.—The Committee recognizes that Federal law prohibits any one parent from removing a child from the United States with intent to obstruct another parent's custodial rights. The Committee further recognizes that the International Child Prevention and Abduction Prevention and Return Act (Public Law 113–150) required CBP, in coordination with other Federal agencies, to establish a program to ensure children were not unlawfully removed from the United States in violation of a valid State court order. The Committee appreciates CBP's efforts to establish the Prevent Abduction Program to meet this statutory requirement and protect the rights of parents and children and further appreciates recent updates on the public facing website about the program. The Committee recognizes that CBP officers have many responsibilities, but officers are sometimes the last opportunity to prevent an unlawful international parental abduction. Within 180 days of the date of enactment of this act, CBP is directed to report to the Committee on the status of the Prevent Abduction Program, which shall include: (1) the total hours of training CBP officers receive on the issue of international parental child abduction; (2) the accumulative number of children enrolled in the program and the number of children enrolled in the preceding fiscal year; (3) the number of children enrolled in the program who, despite their enrollment in the program, were removed at an air POE, if any; and (4) identification of resources CBP might need to

ensure children are not removed from the United States in violation of a valid state court order.

TRADE AND TRAVEL OPERATIONS—OFFICE OF TRADE

Within the total funding recommended for Trade and Travel Operations, including OFO and Office of Trade, the Committee recommends \$309,746,000 for the Office of Trade, which is \$20,000,000 above the budget request amount and \$20,359,000 above the fiscal year 2021 enacted level.

Combatting Forced Labor.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) prohibits the importation of merchandise mined, produced or manufactured, wholly or in part, in any foreign country by forced labor—including forced or indentured child labor. Such merchandise is subject to exclusion and/or seizure to prevent those items from entering the U.S. economy. The Committee commends CBP's Office of Trade for their increased efforts to identify and prevent entry of such merchandise and provides \$10,000,000 above the request to accelerate and strengthen those efforts. Further, the Committee provides fiscal year 2022 funds for the Science and Technology Directorate to partner with CBP and academic and non-profit experts to measure the impact of existing DHS investments, project the impact of future investments on combatting forced labor, and to identify how changes in CBP's capabilities may impact resource needs at other DHS agencies. These resources will ensure that future investments are coordinated and balanced to avoid creating bottlenecks that limit the effectiveness of resources provided.

Trade Agreement Remedies and Enforcement.—The Committee provides \$10,000,000 above the request for trade enforcement activities including intellectual property rights; trade enforcement under sections 201, 232, and 301; 21st Century Framework initiative; and increased trade enforcement, including online anti-counterfeiting.

Combatting Transshipment.—The Committee is aware of the continued efforts by some foreign traders to circumvent U.S. trade laws and evade duty payments by transshipping products through third party countries. Therefore, the Committee continues to direct CBP to modify targeting criteria and make additional changes necessary to provide CBP with the administrative flexibility required to identify transshipped products.

Rebuttable Presumption.—Within 180 days of the date of enactment of this act, CBP shall provide a report to the Committee on the benefits and risks of a rebuttable presumption of evasion for an entity where there was a prior CBP finding of evasion from the same entity.

Continued Dumping and Subsidy Act.—The Committee is concerned that the intent of Congress under the Continued Dumping and Subsidy Act [CDSOA] (Public Law 106–387) is being diluted by CBP's requests that domestic industries that received prior, incorrect payments of collected duties under CDSOA return those payments due to CBP's various collections litigation setbacks, settlements, or administrative errors. As most of these payments were made several years ago and have been reinvested by the recipients as CDSOA intended, the Committee views this policy as counter to

the clear intent of the statute. By recouping revenue paid to domestic companies, and assessing interest charges, CBP is counteracting the intent to allow industries the opportunity to rehire and reinvest. The Committee instructs CBP to determine the impact of this practice on U.S. producers and to notify the Committee prior to recouping such payments or reducing future payments.

Review of Assessed Duties.—The Committee remains interested in CBP’s review of whether aluminum end-users and consumers are being charged a duty paid premium on metal that is not subject to tariff, including recycled, scrap, and primary aluminum imported from countries exempt from the Section 232 tariff. CBP’s review shall determine whether assessed tariffs are administered properly and have been remitted to the Federal government. Upon completion of its review, the Committee looks forward to reviewing CBP’s detailed findings and related action plan to address any inappropriate assessments.

Improving Cargo Security and Examinations.—The Committee is concerned about efforts to ensure the security of containers and cargo imported into the United States. Within 180 days of the date of enactment of this act, CBP shall provide the Committee with a report on the resources needed to increase the percentage of cargo inspected upon entry to the United States every year.

INTEGRATED OPERATIONS

Office of International Affairs.—The Committee directs DHS to provide a briefing within 60 days of the date of enactment of this act on recommendations to, in conjunction with the Department of State, expand information campaigns in El Salvador, Guatemala, and Honduras through social and behavior change communication advertising the dangers of irregular migration to the United States and educating citizens of those countries about legal pathways.

Honey Import Testing.—The Committee acknowledges the recent work of CBP to enhance its ability to test imported honey for Country of Origin [COO] fraud and adulteration. The Committee directs CBP to work with the Food and Drug Administration to provide a report to the Committee within 180 days of the date of enactment of this act on: (1) the number of imported honey shipments tested for COO fraud and adulteration; (2) the number of shipments that testing suggested involved COO fraud or adulteration; (3) the technologies employed in carrying out those tests; and, (4) an ongoing strategy for CBP to detect and combat COO fraud.

MISSION SUPPORT

Office of Professional Responsibility [OPR].—The Committee fully supports expanding CBP’s investigative capabilities through the hiring of additional Special Agents and support staff within OPR. This action will bring the ratio of Special Agents to CBP employees closer to that of other Federal law enforcement agencies. However, the Committee notes that CBP will be able to onboard roughly half of the requested 350 additional positions in fiscal year 2022 and reduces the requested funding level to \$37,170,000. Within 90 days of the date of enactment of this act, CBP shall brief the Committee on a spend plan to include the targeted areas of investigative enhancements or expansions.

ENTERPRISE SERVICES

Mission Support Contracting.—The Committee repeats its request for CBP to provide an inventory of all Enterprise Services contracts organized by category, to identify opportunities to save costs with a plan to reduce current duplication, and to consolidate to leverage economies of scale. To promote more efficient and effective use of these resources, CBP shall apply advanced analytics and machine learning tools to develop an inventory and identify opportunities to save costs.

Caregivers, Child Care Services and Employee Resiliency.—The Committee provides \$6,000,000 above the request for caregivers and child care services and \$12,000,000 above the request for suicide prevention clinicians and human resources resilience activities.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$1,839,634,000
Budget estimate, 2022	925,780,000
Committee recommendation	717,398,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$717,398,000 for Procurement, Construction, and Improvements [PC&I], which is \$208,382,000 below the budget request amount and \$1,122,236,000 below the fiscal year 2021 enacted level.

Identifying Impact of Border Security Investments.—The Committee is committed to providing funding to strengthen the security of U.S. borders in a smart, data-driven manner that is informed by robust, cost-benefit analysis that incorporates all types of border security assets and is tied to identified capability gaps. To assist CBP with the development of both a baseline of what existing investments provide in terms of operational capabilities, and the creation of a tool that can project the impact of new investments on capabilities and CBP performance measures, the Committee provides funding to the Science and Technology Directorate [S&T]. S&T will partner with CBP and academic experts to develop an independent evaluation of CBP's existing border security related assets (personnel, technology, and infrastructure), quantifying the impact of those resources on operational capabilities, and capturing how changes in one type of border security investment may impact another area.

Border Surveillance Technology.—The recommendation includes \$124,000,000 for border security technology, \$70,000,000 above the request. The Committee directs CBP to reallocate funding as appropriate to ensure technology is deployed at the locations where it will have the greatest impact on CBP's ability to identify and interdict illicit activity. The Committee directs CBP to ensure that the appropriate amount of technology is piloted, tested, and deployed along the northern border, in addition to the southern border. This funding is available for relocatable autonomous towers, search and rescue capabilities, mobile surveillance capabilities, team awareness kits, cross-border tunnel detection capabilities, and small unmanned aerial systems and to increase the integration of

data from across CBP's surveillance capabilities into a common operating picture.

Transitioning Innovative Technologies and Equipment Into CBP Operations.—The Committee applauds the work of CBP's Innovation Team and the progress the agency has made in regards to identifying, piloting, and evaluating innovative capabilities that likely would have previously gone undiscovered. Key to the success of this program is the ability of the agency to transition successful pilots into operations. The Committee directs CBP to provide a briefing within 90 days of the date of enactment of this act and quarterly thereafter on: the current rate of pilots that have transitioned to operations; the performance impact to operations as a result of the transition; a plan to evaluate whether there are common indicators for unsuccessful pilots; and recommendations to incentivize CBP programs to participate and ultimately execute promising capabilities.

Non-Intrusive Inspection [NII] at Ports of Entry.—The Committee provides an additional \$36,000,000 above the request for NII technology at ports of entry, to include outbound inspection equipment. CBP shall continue to provide monthly updates to the Committee on the obligation of funds for NII equipment along with actual and projected performance gains as a result of deployments for NII funded in this or prior appropriations. Within 120 days of the date of enactment of this act, CBP shall provide a briefing to the Committee on the status of NII coverage in pre-primary lanes along the southwest border and to report on whether the increase in pre-primary screening will create additional alarms at POEs, impacting current secondary inspection capacity and possibly the workflow of other Federal agencies that may not have sufficient opportunity to plan for additional resource needs.

Deterring Illicit Substances.—The Committee is aware of CBP's ongoing testing of innovative technologies, including recent testing of radiation-free passive cargo scanning technology, and encourages CBP's efforts to leverage evolving and advanced capabilities to accelerate progress in achieving screening goals to detect, interdict, and deter the flow of illicit drugs and other contraband at the POEs. The Committee seeks to ensure CBP dedicates the necessary resources to procuring technologies, including NII and passive radiation scanning, as well as X-ray/Gamma-ray imaging of cargo and conveyances, that detect, interdict, and deter the flow of illicit drugs, including fentanyl, carfentanil, and heroin. The dramatic influx of fentanyl into the United States, including through the mail, is contributing substantially to the opioid epidemic. The Committee supports CBP's continued efforts to combat this influx through the acquisition of portable chemical screening capabilities necessary to determine the presence of fentanyl and other narcotics, including lab equipment, decontamination solutions, personal protective equipment, and other consumables, and increasing the number of scientists at POEs and consignment facilities to rapidly interpret screening test results.

Advanced Trade Analytics Platforms [ATAP].—The Committee provides the requested \$12,653,000 for ATAP to enable CBP to apply analytic capabilities to improve the enforcement of trade laws and policies with more informed data.

Multi-Role Enforcement Aircraft [MEA].—The Committee recommends \$21,618,000 above the request to fully fund the first land variant MEA to expand CBP’s ability to conduct maritime, air, and land surveillance at our Nation’s borders. As of fiscal year 2021, CBP possesses the funds for a total of 28 MEAs as it continues to secure an operational requirement of 38 aircraft. The Committee also recommends \$13,000,000, as requested, for aircraft sensor upgrades.

Land Ports of Entry.—The Committee recommends \$105,000,000 for CBP’s share of the three LPOE modernization projects proposed in the budget. That funding covers furniture, fixtures, and equipment. The remaining \$550,000,000 requested is funded at GSA. CBP shall provide to the Committee its annual report prioritizing facility needs at LPOEs with the annual budget submission. CBP shall continue to work with GSA and the Office of Management and Budget on this 5-year strategy to modernize POEs. Specific attention shall be paid to the health, safety, and welfare needs of CBP officers. Special consideration shall also be considered to facilities where reconfiguration or upgrades will improve the flow of local traffic and allow local residents to move freely in their own communities. Additionally, CBP shall provide a detailed report and timeline within 90 days of the date of enactment of this act outlining completion of the Blue Water Bridge Plaza expansion project. The report shall align with the annual LPOE priority list and should explain how CBP will engage with State and local entities and the specific milestones and timeline for the project’s completion. The Committee is aware of GAO’s July 2019 report, “Border Infrastructure: Actions Needed to Improve Information on Facilities and Capital Planning at Land Border Crossings” and directs CBP, to provide a briefing within 90 days of the date of enactment of this act on the actions CBP is taking to address the GAO recommendations and any changes the agencies are making to the existing planning process. Additionally, the Committee requests that CBP, in consultation with GSA, consider growth in trade value, growth in in-bound commercial traffic, and CBP operational needs in its development of the capital investment plan.

Central Processing Centers.—The Committee recommends \$130,000,000, \$100,000,000 above the request to build three multi-purpose facilities along the southwest border, designed to house multiple agencies to support efforts to streamline processing of noncitizens and their transfer to other Federal agencies or release. These new facilities will expand permanent capacity on the southwest border, reducing the need for temporary facilities in the future. Within 100 days of the date of enactment of this act, CBP shall provide the Committee a briefing that identifies the processing capacity of the Department at the southwest border and provides recommendations on how the Department will improve processing capacity to ensure it can successfully manage influxes of individuals crossing the Southwest border, either at or between ports of entry. In this briefing, the Department should consider recent trends regarding flow to the border, projections on future flow to the border, the impact and costs of temporary processing facilities, and changes to improve the Department’s processing capabilities to

make the process experienced by noncitizens and asylum seekers fair and more efficient.

Construction and Facility Improvements.—The Committee provides the requested funds for Border Patrol and OFO facility improvements. Additionally, the Committee provides \$21,200,000 for the construction of an Institute Building at CBP’s Advanced Training Center [ATC]. This facility will support the Tuition and Educational Assistance Program and will include several multi-purpose classrooms needed for additional courses supporting Intel and Targeting, Hazmat, and Confined Space, among others. The Committee understands that ATC will soon complete the design phase of this project, and believes this investment is necessary to accommodate the 40 percent growth that the Tuition and Educational Assistance Program has experienced in the past several years.

Revenue Modernization.—The recommendation includes \$13,173,000 for revenue modernization activities. Within 120 days of the date of enactment of this act, CBP shall provide the Committee with the percent transition from manual field collections to automated electronic systems, along with the cost, by POE.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

U.S. Immigration and Customs Enforcement [ICE] is the principal investigative agency within the Department of Homeland Security. ICE is responsible for securing the Nation’s borders, enforcing U.S. immigration laws, and safeguarding cyberspace through the enforcement of Federal laws that govern trade and travel, including but not limited to narcotics enforcement, financial crimes, child exploitation, and human smuggling.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$7,933,719,000 for ICE, which is \$57,767,000 below the budget request amount and \$39,810,000 below the fiscal year 2021 enacted level. This amount is in addition to estimated fee collections of \$379,610,000.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

IMMIGRATION AND CUSTOMS ENFORCEMENT

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	7,875,730	7,939,786	7,882,019
Procurement, Construction, and Improvements	97,799	51,700	51,700
Total	7,973,529	7,991,486	7,933,719

OPERATIONS AND SUPPORT

Appropriations, 2021	\$7,875,730,000
Budget estimate, 2022	7,939,786,000
Committee recommendation	7,882,019,000

The ICE Operations and Support [O&S] appropriation provides for the enforcement of immigration and customs laws, related intelligence activities, and the detention and removal of illicit people and goods. In addition to directly appropriated resources, funding is derived from the following existing offsetting collections:

Immigration Inspection User Fee.—ICE derives funds from user fees to support the costs of detention and removals in connection with international inspection activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Student Exchange Visitor Program Fee.—ICE collects fees from foreign students, exchange visitors, schools, and universities to certify, monitor, and audit participating exchange programs.

Immigration Breached Bond/Detention Fund.—ICE derives funds from the recovery of breached cash and surety bonds in excess of \$8,000,000, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356), and from a portion of fees charged under section 245(i) of that act to support the cost of the detention of aliens.

Detention and Removal Office Fee.—ICE collects fees from bonds filed by noncitizens arriving at an air or sea port of entry where the noncitizen is needed to testify in the prosecution of a person for violating a State or Federal law. These fees cover the costs incurred during the stay of removal, if granted. The collections are also used to fund some Custody Operations non-bed general expenses [GE].

COMMITTEE RECOMMENDATIONS

The Committee recommends \$7,882,019,000 for O&S, which is \$57,767,000 below the budget request amount and \$6,289,000 below the fiscal year 2021 enacted level.

Immigration Data Improvements.—The Committee commends ICE for its continued efforts to develop and execute an enterprise data management strategy and recommends \$6,000,000 to continue these activities. The Committee encourages ICE to make thoughtful system improvements. The Committee continues to direct ICE to collect data on enforcement activities both along the borders and in the interior of the United States in an effort to improve operational transparency and resource allocation decisions.

Radios.—The Committee supports procurement decisions that maximize capability while saving taxpayer resources. The Committee notes that this is generally achieved by a fair and open competition process. The Committee directs ICE to report to the Committee within 90 days of the date of enactment of this act, regarding ICE's future radio needs and identify how ICE will fulfill future radio upgrades using a fair and open competition.

Records Management.—The Committee expects the Department to maintain records and to respond to records requests, consistent with the requirements of section 552 of title 5, United States Code, for information related to all detainees in the custody of the Department, regardless of whether such detainees are housed in a Federal or non-Federal detention facility. The Committee further notes that the Department should not withhold records from disclosure unless the Department reasonably foresees that disclosure would harm an interest protected by an exemption described in sec-

tion 552(b) of title 5, United States Code, or is otherwise prohibited by law.

Obtaining Information From, or Records of, Members of the News Media.—The Committee is aware of existing Department of Justice policy, amended July 19, 2021, which generally prohibits a compulsory legal process for the purpose of obtaining information from, or records of, members of the news media. The Committee is concerned that no such equivalent ICE policy exists governing its subpoena authority, regardless of whether such authority is civil or criminal in nature. The Committee recognizes that there are several vital interests involved when law enforcement authorities are exercised on members of the news media, including issues possibly involving national security and of constitutionally protected conduct, such as the essential role of the free press in fostering government accountability. The Committee directs ICE to develop an internal policy, analogous to the DOJ policy, which elevates decisions about whether to issue subpoenas to members of the news media, to the most appropriate senior ICE official, preferably the ICE Director. Further, the Committee directs ICE to ensure that the appropriate personnel are aware of such policy through the appropriate training as ICE determines. Within 90 days of the date of enactment of this act, ICE shall brief the Committee on the policy and the associated training, or the plan to carry out the necessary training as ICE determines.

Organizational Structure.—The Committee is concerned that the Office of the Chief Financial Officer [OCFO] currently does not report directly to the Director or Deputy Director within ICE, and that some agency responsibilities, many of which fall outside of the scope of a traditional OCFO, are assigned to ICE's OCFO, such as the OCFO as the Designated Agency Safety and Health Official. The Committee strongly encourages ICE to realign its Organizational Structure to ensure that the OCFO reports directly to the Director or Deputy Director. Such a reorganization has the potential to ensure that leadership decisions are informed by precise fiscal projections and data analytics, a reoccurring challenge for ICE regardless of leadership. Within 90 days of the date of enactment of this act, ICE shall analyze the Committee's recommendation and brief the Committee on the results of such analysis. At a minimum, the analysis shall examine the reporting structure of OCFOs across the Department to determine a baseline reporting structure, reassesses OCFO's responsibilities, and brief the Committee on any such findings.

Congressional Inquiries.—The Committee renews its frustration with slow response times to congressional inquiries, which circumvent Congress' constitutional obligations to exercise oversight and upsets the balance of powers between co-equal branches. The Committee reminds ICE that slow and inadequate responses limit the Committee's ability to make funding recommendations and to meaningfully convey to the public, investments in ICE, ultimately harming the agency and its employees. The Committee directs ICE to ensure the liaisons to this Committee report to, and work from, the OCFO, as is consistent for other components. The Committee makes the necessary reductions, transfers, and additions in the supporting documentation sent to ICE and requests a briefing

within 30 days of the date of enactment of this act on the status of the transfer of such positions.

Trauma-Informed Approach.—The Committee recognizes that ICE employees interact with persons who have endured torture, war, loss of stability, homes, loved ones, including children, or faced other traumatic events. ICE employees must often personally interview noncitizens to gather enforcement-related information, which may also trigger secondary trauma for employees who have related traumatic challenges. The Committee believes it is important to ensure a diverse workforce within ICE and that ICE employees who interact with the public are trained to recognize signs of trauma exposure, utilize trauma-informed practices, and have the tools necessary to seek assistance if the employee faces trauma. Within 180 days of the date of enactment of this act, ICE shall report to the Committee on the assessment for trauma needs as described above and identify any potential resource needs in order to implement the results of the assessment.

Hiring Plan.—The Committee is concerned about ICE’s ability to effectively and efficiently hire personnel in a strategic and meaningful way. Therefore, within 90 days of the date of enactment of this act, ICE is directed to provide the Committee with a personnel and hiring plan. ICE is directed to use its workload staffing model [WSM] to develop this plan. The personnel and hiring plan should, at a minimum, include hiring by PPA, by series type, and by area of responsibility. The plan shall be incorporated into the operational and spending plans, as described in the explanatory statements accompanying Public Laws 116–6, 116–93, and 116–260.

Facilities Backlog and Use.—The Committee remains concerned about the condition of its facilities backlog, particularly the deferred maintenance portfolio. However, the Committee does not feel that ICE has a strategic plan for allocating its facilities-related funding. Moreover, the Committee is concerned that ICE does not rely on facility condition assessments to set its priorities. As such, ICE is directed to provide within 60 days of enactment of this act, a plan for completing facility condition assessments, as well as quarterly updates to the plan. Further, ICE is directed to demonstrate how it has incorporated facility condition assessments into its outyear requests, including its Congressional Budget Justifications, for deferred maintenance funding. Within 60 days of enactment of this Act, ICE is directed to provide an operational and resourcing plan for the future of its facilities.

Annual Enforcement and Removal Operations [ERO] and Homeland Security Investigations [HSI] Reports.—The Committee is pleased with the annual ICE Fiscal Year ERO and HSI Reports. The Committee directs ICE to continue issuing these reports, no later than the December following the end of the fiscal year, and to include at minimum the categories of data included in the fiscal year 2020 reports, to the extent that such categories of data have not been amended by subsequent policy decisions.

HOMELAND SECURITY INVESTIGATIONS

The Committee recommends \$2,226,853,000 for Homeland Security Investigations [HSI], which is \$59,128,000 above the budget request amount and \$88,123,000 above the fiscal year 2021 enacted

level. ICE is directed to sustain enhancements for programs of ongoing congressional interest, as described in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (Public Law 116–6).

Opioid Investigations.—The Committee continues to support steps towards enhancing HSI opioid enforcement activities in fiscal year 2022 by sustaining over 340 personnel, including investigators, intelligence analysts, and necessary support staff. HSI has enhanced its ability to conduct increased investigations focusing on the identification of entire supply chains.

Child Exploitation Investments.—The recommendation continues enhancements provided in prior fiscal years, including \$21,000,000 for the Child Exploitation Investigations Unit at the Cyber Crimes Center.

International Megan’s Law.—The recommendation includes \$5,000,000 to continue ICE’s implementation of International Megan’s Law. For fiscal year 2021, the Angel Watch Center is on pace to send approximately 2,050 referrals to more than 100 countries with approximately 625 denials of entry, and to refer over 900 registered child sex offenders to the Department of State.

Human Exploitation Rescue Operative.—The Committee continues to support the Human Exploitation Rescue Operative [HERO] Child-Rescue Corps, a partnership among HSI, U.S. Special Operations Command, and the National Association to Protect Children. According to HSI, as of January 2021, 134 HERO graduates have been offered full-time positions with HSI as analysts, of which 119 have been hired. ICE should continue to train at least one class annually through the program and should employ HERO graduates at ICE or help place them with other agencies or organizations with related missions. The Committee directs ICE to sustain prior year enhancements for dedicated personnel and funding for the HERO program and related computer forensic analyst positions focused on child exploitation investigations. The Committee continues to support the concept of the paid HERO apprenticeship and directs ICE to brief the Committee not later than 180 days after the date of enactment of this act on the status of the program, which shall include an analysis about the long term viability of the program within HSI, any resource challenges, or other challenges that face graduates of the program as identified by HSI.

Intellectual Property Rights [IPR] Enforcement.—The Committee applauds the work of the IPR Center staff in launching ‘Operation Stolen Promise’ and related operations, which sought to disrupt and dismantle criminal activity and strengthen global supply chain security during the pandemic. The Committee supports the IPR Center’s focus on preventing counterfeit masks from reaching public health officials and first responders, noting that during the pandemic, the IPR Center conducted over 130 investigations and seized over \$26,000,000 dollars of counterfeit masks. The recommendation includes \$15,000,000 to support intellectual property enforcement through the work of HSI and the National IPR Center. ICE shall remain committed to adequately staffing the National IPR Center with both ICE and interagency staff to facilitate continued enforcement actions against theft of U.S. intellectual property.

Forced Labor Violations.—The recommendation includes not less than \$15,770,000 for investigations and other activities related to forced labor law violations, to include forced child labor. Within 90 days of the date of enactment of this act, ICE shall submit to the Committee a spend plan, including the baseline funding, an annual report on the expenditures, and performance metrics associated with forced labor law enforcement activities.

Human Rights Violators.—The Committee is aware of recent HSI efforts to investigate human rights violators, including the arrest of an individual alleged to have committed serious human rights violations and the removal of a Nazi war criminal. The Committee directs ICE to continue its efforts to investigate, remove, and prosecute individuals who have committed human rights abuses, including persecution, genocide, severe violations of religious freedom, torture, extrajudicial killing, use or recruitment of child soldiers, crimes against humanity, or war crimes. For this purpose, the recommendation continues the fiscal year 2021 funding of \$5,300,000 for the Office of the Principle Legal Advisor's Human Rights Law Section and Human Rights Violators and the War Crimes Unit for their training, transportation, and other related activities. ICE shall report to the Committee within 180 days after the date of enactment of this act on the following: the total number of prosecutions and investigations of human rights offenses and other offenses committed and their outcomes, delineated by serious human rights violators within each of the last five fiscal years; the efforts of ICE to increase the number of human rights investigations and prosecutions; and any organizational, resource, or legal impediment to investigating and prosecuting more human rights violators, including whether the identified amount above is sufficient to support the Unit.

Gulf Coast Coordination.—The Committee supports ICE's development of the Tactical Intelligence Center [TIC] into a Regional Intelligence Integration Center. The collection, reporting, and dissemination capacity at this location will interrupt the illicit movement of people and goods into the United States through the Gulf of Mexico region. The Committee directs ICE to report on efforts to enhance the TIC's capacity within 90 days of the date of enactment of this act.

Counter-Proliferation Investigations Center.—The Committee sustains \$12,000,000 for this enhanced capability to prevent sensitive U.S. technologies and weapons from reaching terrorists, criminal organizations, and foreign adversaries. The Committee continues to require a briefing on this topic not later than 120 days after the date of enactment of the act.

Wildlife Trafficking.—The Committee remains concerned by the high level of illegal international trade in wildlife and wildlife products, and commends HSI work on the Presidential Task Force on Wildlife Trafficking. The Committee understand that HSI was involved actively in building the Strategy's implementation plan and identified existing Department resources and expertise capable of executing the plan's enforcement and investigative fundamentals. The Committee expects HSI to continue its work in partnership with the U.S. Fish and Wildlife Service to improve cooperative efforts to better address wildlife trafficking. The Committee directs

HSI to continue to produce the report identified in Public Law 116–125. The report shall include options for making this information available in a routine and public manner annually.

HSI Mission and Redundancy Prevention.—The Committee recognizes the critical national security role that HSI plays in investigating, disrupting, and dismantling transnational criminal organizations and terrorist networks that seek to exploit the customs and immigration laws of the United States. While recognizing the unique skill set of HSI and the many successes of HSI across its broad portfolio, particularly during the pandemic, the Committee is concerned about the expanding mission set of HSI, including the repeated diversion of HSI personnel and capabilities for civil immigration enforcement. As such, a new section is provided to promote government efficiencies, eliminate redundancies, and to ensure that HSI personnel and capabilities are not diverted from critical national security investigations and enforcement, towards civil investigations and enforcement. The Committee encourages HSI to ensure law enforcement activities are focused on investigating, disrupting, and dismantling transnational criminal organizations and terrorist networks that seek to exploit the customs and immigration laws of the United States, along with other congressional directives.

ENFORCEMENT AND REMOVAL OPERATIONS

Efficiency and Coordination.—The Committee understands that detention bed space may be required for the processing of noncitizens and may also be compounded by recent health guidelines for those in detention, despite lower daily population levels. The Committee directs ICE to work with Federal partners, including those within the Department of Justice and the Department of Health and Human Services, to ensure that noncitizens are treated fairly and safely while expeditiously moving through the immigration enforcement process and to brief the Committee quarterly on process improvements and coordination efforts.

Training.—The Committee continues a requirement to provide its officers with guidance and training for engaging with victims and witnesses of crime and to strengthen policy guidance on enforcement actions in or near sensitive locations, including courthouses, in order to minimize any effect that immigration enforcement may have on the willingness and ability of victims and witnesses to pursue justice. The Committee continues its directive for ICE to report on steps taken to minimize the effect immigration enforcement activity has on victims and witnesses of crime not later than 180 days after the date of enactment of this act. ICE shall also continue to provide monthly notifications to the Committee on enforcement actions that take place in or near sensitive locations, including courthouses, and placements for unaccompanied children.

Custody Operations.—The recommendation includes \$2,633,786,000 for Custody Operations, which is \$141,314,000 below the request and \$202,342,000 below the fiscal year 2021 enacted level. The Committee returns to ICE’s ADP forecast model as a guide to predict yearly bed requirements, but strongly encourages ICE to seek Independent Verification and Validation [IV&V] of the tool by an independent entity. Within 90 days of the date of enact-

ment of this act, ICE shall report to the Committee on a projected cost to secure such IV&V in the future. The Committee directs ICE to continue the policy of fully reimbursing the costs and expenses associated with agreements entered into with other entities, including Federal and State agencies, and contractors or non-governmental organizations [NGOs] that work with ICE.

The Committee strongly encourages ICE to move beyond a narrow understanding of the term custody, which runs contrary to the understanding of custody in the criminal context, especially in instances where the Immigration and Nationality Act [INA] uses the term “custody” and not “detention.” The Committee does not understand “Custody Operations” to mean merely the physical custody of noncitizens in detention. Rather, consistent with long standing precedent, the Committee recognizes that custody can be both, or either, legal custody or physical custody, and that within both of those understandings, custody can also be on a continuum, with an individual escalating or deescalating between forms of custody if risk or mitigating factors are present or change. The Committee notes that courts have long interpreted custody to be a significant restraint on liberty not shared by the public generally, which can also include conditions and restrictions on liberty, but does not necessarily mean physical detention. The Committee notes that it does not extend that same understanding to instances in the Immigration and Nationality Act where the word “detention” is used in lieu of “custody.” In light of this, while the Committee declines at this time to specify various continuums of custody that ICE may utilize, deferring instead to ICE to align its understanding of custody with existing precedent, the Committee directs ICE to utilize a continuum of custodial options for individuals subject to civil custody under the Immigration and Nationality Act, which should necessarily involve a significant restraint on liberty not shared by the public generally, such as home confinement for example. The Committee also defers to ICE to outline the programs and services provided and access to such programs and services while individuals are in various forms of ICE custody. The Committee understands that the presence of “alternatives to detention” and “custody operations” may give a false impression that custody means detention; however, the Committee notes that funding for custody operations is not “detention operations” and sees no conflict with a more appropriate understanding of custody. Further, the Committee notes that the use of the term operations speaks generally to a broader effort of events, including a continuum of functions. The Committee directs ICE to submit, as a part of the fiscal year 2023 budget proposal, a recommendation as to whether various funding accounts should be realigned or renamed so as not to cause unnecessary confusion. In lieu of funding the family detention facilities, which the Committee declines to do, the Committee provides \$180,000,000 for ICE to enter into contracts with service providers or non-governmental organizations, to provide emergency transitional housing and shelter for families with children in the Federal immigration system. ICE is directed to ensure that such providers have minimum standards for the care and custody of families with children and to work with State officials, as necessary, to ensure that all ap-

plicable child-welfare laws and Federal consent decrees, are adhered to, concerning the care and custody of families with children.

Custody Operations Transparency.—ICE must ensure there is sufficient transparency in the way ICE obligates and expends its appropriations and fee funded activities. ICE must operate within the funding levels provided by Congress. Notifications of proposed transfers or reprogramming shall be accompanied by transparent and publicly-available evidence that a need for additional funds results from circumstances that are truly beyond ICE's control and unrelated to poor resource and policy management.

Detention Standards.—The Committee reiterates direction provided in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2017 (Public Law 115–31) regarding detention standards and understands that ICE intends to increase the percentage of detainees held in facilities meeting the most recent Performance Based National Detention Standards [PBNDS], the most recent National Detention Standards, and requirements under the Prison Rape Elimination Act of 2003 [PREA] (Public Law 108–79). The Committee directs ICE to develop a timeline detailing steps the agency will take to recruit additional contracting personnel required for negotiating detention contracts and to brief the Committee on its plan not later than 60 days after the date of enactment of this act. The Committee further directs ICE to post on its website within 60 days of the date of enactment of this act a schedule for achieving 100 percent compliance with PREA requirements; PBNDS 2011, as revised in 2016 and which were in effect on January 1, 2017; and the most recent National Detention Standards for all detainees. The Committee further directs ICE to post on its website within 60 days of the date of enactment of this act the results of completed PREA audits, an assessment of whether the standards are effective in protecting vulnerable populations, and all reports to the Committee required under the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2017, regarding contracting and detention standards. ICE shall also identify the resource requirements needed to achieve PREA compliance for the facilities that are currently not PREA compliant but have PBNDS 2011, Standard 2.11, or PBNDS 2008 protections and shall identify the standard used in each facility in the publicly available website.

Reporting Requirements.—In addition to reporting requirements from fiscal year 2020, ICE is also directed to report within 60 days of the date of enactment of this act on the progress being made to transition all inspections to semi-annual Office of Detention Oversight inspections. ICE shall provide the results of those inspections on a public facing website within 60 days of each inspection in a similar fashion as required of inspection reports in fiscal year 2021. ICE is directed to make public all final detention facility inspection reports within 60 days of inspection; complete and make public an initial report regarding any in-custody death within 30 days of such death, with subsequent reporting to be completed and released within 60 days of the initial report unless additional time is required for redacting personally identifiable information; make public a full list, updated monthly, of all facilities in use for detention of adults or children, including the average daily population,

the type of contract, the governing detention standards, and the complement of on-board medical and mental health personnel; ensure that non-governmental organizations are provided with independent and timely access to all facilities for the purpose of providing representation, legal education, and programming, and for purposes of monitoring and visitation; and update detainee location information in the ICE Detainee Online Locator system within 48 hours of detention and 24 hours of completion of any transfer.

Pregnant, Postpartum, and Lactating Women.—The Committee supports the national policy to discourage the detention or arrest of known pregnant, postpartum, or lactating women. For any known pregnant, postpartum, or lactating woman whose detention is required pursuant to law or documented exceptional circumstance, ICE shall, not less than monthly, evaluate whether such continued custody is necessary or required by law. During this custody redetermination, ICE shall presume that the continued custodial detention of pregnant, postpartum, or lactating women is not appropriate absent exceptional circumstances or where required by law. The Committee continues the requirement to provide semiannual reports on the total number of pregnant, postpartum, or lactating women in ICE custody, including detailed justification of the circumstances warranting each pregnant, postpartum, or lactating woman's continued detention and the time in custody. These anonymized reports should be made publicly available on the ICE website.

Cost of Providing Healthcare to Immigrants in Detention.—Recognizing the increasing cost of providing adequate healthcare in general, the Committee directs ICE to provide an annual report on the cost of administering healthcare, including mental health or preventative services, in the detention system. The report shall include all sources of funding utilized to provide healthcare services to individuals in custody, including all such funding provided by the Department of Health and Human Services within the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136), other Federal agencies, or State, local, or private sources of funding. The report shall include the number of instances that detainees were transported to hospitals, emergency rooms, or other healthcare facilities and shall note instances of serious medical or mental health conditions, pregnancy, disability, or positive or presumptive cases of communicable diseases impacting more than 100 detainees, along with antibody positive cases for diseases where such tests are available. Further, the report shall detail the number and type of position of medical, including pediatric medical professionals, and mental health staff at each ICE detention facility and note any position that has been vacant for 30 or more days.

Removal of Parents of U.S. Citizen Children.—The Committee continues its requirement that the Department submit data on the removal of parents of U.S. citizen children semiannually.

Visa Overstay Enforcement.—The Committee directs ICE to continue to direct sufficient resources to investigative and support activities required to identify and remove noncitizens who have overstayed their visas and to brief the Committee semiannually on the results of these efforts. The Committee expects ICE to continue the reports required by the Department of Homeland Security Appro-

priations Act, 2018 (Division F of Public Law 115–141), relating to visa overstay data every fiscal year.

Law Enforcement Support Center.—The recommendation continues to include \$34,500,000 to support an authorized level of 248 full-time law enforcement specialists and officers at the Law Enforcement Support Center [LESC], which serves a critical function in the Federal Government’s efforts to identify and locate noncitizens with serious felony records. The Committee directs ICE to ensure that current operations performed by the LESC remain centralized at the LESC facility in Williston, Vermont, and that these operations are not unnecessarily duplicated elsewhere. The Committee looks forward to receiving the report required by the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (Public Law 116–6) regarding LESC funding, operations, and staffing. The Department is also directed to submit for Committee approval the reallocation of any resources currently intended for LESC operations in Vermont. It is expected that no such reallocation will be made without Committee concurrence. The Committee notes that, despite an increasing workload and the availability of recruitment and retention incentives, the LESC has not hired to authorized levels. The Committee directs ICE to ensure that the LESC has the resources and approvals necessary to fully utilize its recruitment incentives program. The LESC is also encouraged to use hiring campaigns, education, and outreach, including coordination with nearby community, technical, and State colleges and universities and to utilize available direct hire authority to accelerate the hiring of qualified applicants.

Sex Offender Release Notifications.—The Committee understands that ICE is currently notifying law enforcement authorities and State regulatory organizations through the Sex Offender Registration and Notification Act (Public Law 109–248) exchange portal when ICE releases into their jurisdictions individuals who have a registration requirement. The Committee recommends \$2,000,000 to continue to identify any potential information gaps within this system and to address these gaps in a manner that ensures that data on ICE detainees with sex or violent offender records are provided in real time to jurisdictions where such detainees will reside.

Kiosks for Non-Detained Appearances.—The Committee directs ICE to continue its program to enable certain noncitizens on the non-detained docket to report via self-service kiosks at ERO field offices. In light of the most recent health guidelines, use of these properly disinfected kiosks could assist in efforts to provide a sanitary environment for such noncitizens. The recommendation includes \$3,000,000 for this program.

Alternatives to Detention.—The recommendation includes \$440,476,000 for Alternatives to Detention [ATD]. ICE shall continue to brief the Committee on any ATD contracts it awards under this program, including contracts involving the “Know Your Rights” [KYR] program for new participants. Within 60 days of the date of enactment of this act, ICE shall begin providing monthly reports on the number of noncitizens participating in the ATD program, by technology type, cost by technology type, as well as the number of participants who attend a portion of or all of their immigration court hearings. The ATD program shall continue the type of case

management services provided under the Family Case Management Program [FCMP]. The Committee directs ICE to continue to publish annually the following policies and data relating to ATD: guidance for referral, placement, escalation, and de-escalation decisions; enrollment by Field Office; information on the length of enrollment broken down by type of ATD; and a breakdown of enrollment by type and point of apprehension.

ATD Referrals.—The Committee directs ICE to consider enrollment referrals from NGOs and community partners that are actively implementing ICE’s ATD programs that utilize case management. ICE shall establish, with the consultation of relevant NGO and local community partners, at ICE’s discretion, criteria for such referrals, guidelines for submission, and criteria for how ICE will consider any such referrals for enrollment in ATD programs. ICE shall submit a report to the Committee on progress regarding these guidelines within 60 days of the date of enactment of this act and quarterly thereafter until the guidelines are finalized. ICE shall submit an annual report on the number of NGO referrals that are submitted and the number of such referrals accepted into ATD programs that utilize case management programs.

287(g) Agreements.—The Committee directs ICE to publish applications for new or renewed 287(g) agreements on its website 8 weeks prior to entering into any such agreement. ICE shall ensure thorough vetting of 287(g) applicants in an effort to minimize detention conditions that do not fully comply with the PBNDS and PREA standards. As of January 2021, DHS issued monthly reports on high-profile criminal noncitizens encountered through this program. ICE is directed to report to the Committee on the effectiveness, and accuracy, of prior efforts to publicly disclose personally identifiable information about noncitizens encountered through the 287(g) program within 60 days of the date of enactment of this act.

Office of the Principal Legal Advisor [OPLA].—The Committee includes \$341,214,000 which is the same as the request and \$27,550,000 above the fiscal year 2021 enacted level. The Committee recognizes that OPLA does not have sufficient resources, which has been a pervasive issue for OPLA, and is concerned that the request is only funding for attorneys and not support personnel. Within 90 days of the date of enactment of this act, ICE is directed to provide the Committee a hiring plan which contains details for how these positions will be filled, where they will be located, and provide the appropriate balance of support staff to attorney hire ratio.

Private Immigration Bills.—The Committee is concerned about the unilateral May 2017 decision to change the private immigration bill process. The Committee notes that the prior process was the direct result of negotiations between the Executive and Legislative branches of government and was a bipartisan process. The Committee directs ICE to brief the Committee within 180 days of the date of enactment of this act on the current private immigration bill process and strongly encourages ICE to return to the policy predating 2017. The briefing shall include a detailed explanation of ICE’s abrupt change in policy; shall detail how prior administrations negotiated with Congress regarding the private immigration bill process and specify any past documentation, including but not

limited to all Memorandums of Understanding between Congress and ICE, or legacy Immigration and Naturalization Service; and shall include information about ICE's reasoning for abandoning the longstanding bipartisan practice of granting a stay of removal when ICE received a written request for an investigative report for a beneficiary from the Chairman of the Senate Committee on the Judiciary, or appropriate subcommittee.

Access to Due Process.—Within 90 days of the date of enactment of this act, ICE is directed to provide a report to the committees of jurisdiction on overall access for attorney and detainee representative at ICE facilities. The report shall include the number of legal visits that were denied or not facilitated and the number of facilities that do not meet the ICE National Detention Standards for attorney/client communications. ICE is directed to make detention facility contact information and facility legal accommodations available on the ICE public website.

Detention and Solitary Confinement of Special Populations.—The Committee is concerned about the use of involuntary segregation in isolation, solitary confinement, and protective custody of vulnerable, or special populations, including persons who identify as transgender, and remains concerned about the impact of prolonged detention on these populations. The Committee strongly encourages ICE to utilize ATD for this population, absent extraordinary circumstance or Federal law requiring detention. The Committee directs ICE to publicly report on a quarterly basis the number of individuals who identify as transgender who were, or are, in their physical custody for the preceding quarter. The report shall include, at a minimum, the number of consecutive and cumulative days such individuals were in detention or involuntary segregation, through isolation, solitary confinement, or protective custody, and include the basis for their involuntary segregation. ICE shall re-evaluate their custody level periodically, no less 30 days, or sooner, where required by other State or Federal law, to determine whether continued involuntary segregation is appropriate. Within 90 days of the date of enactment of this act, ICE shall ensure that all such persons who identify as transgender, are only placed in a facility that meets the principles and standards outlined in the 2015 ICE Memo entitled, "Further Guidance Regarding the Care of Transgender Individuals." Within 90 days of the date of enactment of this act, and annually thereafter, ICE shall report to the Committee the number of facilities that meet the 2015 principles and standards, their location, the number of available beds for vulnerable or special populations, including those who identify as transgender, whether those beds are in a form of involuntary segregation, and whether such facilities need additional resources to ensure the health and safety of such persons in their care and custody.

Minors.—ICE is reminded of its obligation under section 1232 (c)(2)(B) of title 8, United States Code, to consider placing the minor in the least restrictive setting. Within 90 days of the date of enactment of this act and monthly thereafter, the Secretary shall provide the Committee with a report which shall include the number of individuals currently in ICE's custody who were transferred to ICE by the Office of Refugee Resettlement and a breakdown, de-

lineated by ICE area of responsibility, the type of placement and accompanying justification for such placement

Expulsions Pursuant to Title 42.—The Committee directs ICE to report to the Committee on a weekly basis the total number of persons in the physical custody of ICE who are subject to expulsion under Title 42, including such individuals' age, nationality, family status, and time in custody.

Validation of Age-Out Review Worksheet for Minors.—The Committee recognizes that it is common practice in the juvenile justice context to validate tools that aid in decision-making regarding the appropriateness, level of detention, or such available alternatives to detention, including release. Such validated tools typically objectively assess the degree to which the youth poses a public safety and/or flight risk concern and are intended to create objective recommendations for decision-making and document final decisions. The Committee is concerned that ICE's current Age-Out Review Worksheet has not been independently validated and does not produce an objective score to aid in decision-making, despite ICE's reliance on such tool. Within 180 days of the date of enactment of this act, ICE shall ensure that an independent third party conducts an Independent Verification and Validation [IV&V] review on the Age-Out Review Worksheet in order to objectively inform custody and release decision-making for youth. ICE shall provide the results and recommendations from that review to the Committee and shall periodically update the Committee on the status of the IV&V, implementation of the results of the IV&V and use and outcomes of the validated tool.

Electronic Nationality Verification [ENV] Program.—The Committee is aware that ICE has relied upon the ENV program, which began in 2019 to facilitate the return of nationals of participating countries in an expeditious manner by electronically verifying the person's nationality instead of requiring formal travel documents issued by consular officials prior to removal. It is the Committee's understanding that currently three countries have ENV agreements with the United States, Guatemala, El Salvador and Honduras, and that nearly 60,000 persons have been expeditiously removed as of December 2020. The Committee supports greater public awareness which results in enhanced public confidence in how the Federal Government operates. ICE is directed to make the agreements as publicly available as possible, and at a minimum, shall publicly disclose which countries have agreements in place under the ENV program, or any successor or related program. In addition to the above disclosures, within 90 days of enactment of this act and annually thereafter, the Committee directs ICE to ensure that basic information about the ENV program is publicly available, including, but not limited to: the number of persons removed through the ENV process in a fiscal year; whether such persons were encountered in the interior or at or near the southern border; the age, nationality and gender of the individuals removed, including whether they were a part of a family unit; and the time spent in the physical custody of the Federal Government pursuant to the ENV program. Further, ICE is encouraged to examine the ENV program in light of international treaty obligations, to ensure that a noncitizen's life or freedom is not threatened upon return.

Victims Engagement Services Line.—The Committee directs ICE to brief the committee within 60 days of the date of enactment of this act on the Victims Engagement Services Line. This briefing should, at a minimum, include how ICE has built upon lessons learned from the Victims of Immigration Crime Engagement [VOICE] Program, if applicable, and incorporate any such evidence-based practices developed from the prior VOICE Program, to serve the needs of crime victims and their families.

Transportation and Removal Program [TRP].—The Committee recommends \$420,031,000 for TRP, which is the same as the budget request amount and \$942,000 above the fiscal year 2021 enacted level. TRP provides the safe and secure transportation of noncitizens who are subject to final orders of removal or require transfer within the United States, which may ultimately include transportation to the noncitizen’s final destination if ICE determines in its discretion that such transportation is necessary.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$97,799,000
Budget estimate, 2022	51,700,000
Committee recommendation	51,700,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$51,700,000 for Procurement, Construction, and Improvement [PC&I], which is the same as the budget request amount and \$46,099,000 below the fiscal year 2021 enacted level. The Committee directs ICE to provide a briefing on proposed PC&I spending plans not later than 60 days after the date of enactment of this act.

TRANSPORTATION SECURITY ADMINISTRATION

The Transportation Security Administration [TSA] is charged with ensuring security across U.S. transportation systems, including aviation, railways, highways, pipelines, and waterways; and safeguarding the freedom of movement of people and commerce.

COMMITTEE RECOMMENDATIONS

The Committee recommends a gross discretionary total of \$8,720,811,000 and a net of \$6,154,811,000 for TSA, which is equal to the budget request amount and \$153,616,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

TRANSPORTATION SECURITY ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	7,793,715	8,094,787	8,094,787
Aviation Passenger Security Fees	– 2,940,000	– 2,110,000	– 2,110,000
Subtotal, Operations and Support (net)	4,853,715	5,984,787	5,984,787

TRANSPORTATION SECURITY ADMINISTRATION—Continued

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Procurement, Construction, and Improvements	134,492	134,492	134,492
Research and Development	29,524	35,532	35,532
Total, Transportation Security Administration (net) ..	5,017,731	6,154,811	6,154,811
Total, Transportation Security Administration (gross)	8,567,195	8,720,811	8,720,811

OPERATIONS AND SUPPORT

Appropriations, 2021	\$4,853,715,000
Budget estimate, 2022	5,984,787,000
Committee recommendation	5,984,787,000

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$8,094,787,000 for Operations and Support [O&S], which is equal to the budget request amount and \$301,072,000 above the fiscal year 2021 enacted level. This amount is partially offset by \$2,110,000,000 in estimated aviation security fee collections that are credited to this appropriation, as authorized, resulting in a net discretionary appropriation of \$5,984,787,000.

Staffing and Workload Report.—Within 90 days of the date of enactment of this act and monthly thereafter, TSA shall provide to the Committee a report on staffing levels by major personnel categories along with the travel volumes during the same time period. The report shall display the following for each personnel category: onboard and FTE levels at the end of the previous fiscal year; positions and FTE levels funded through enacted appropriations for the current fiscal year; and onboard positions and FTE at the end of the month being reported. Additionally, the report shall include key TSA performance measures, such as travel volumes and wait times at checkpoints, as well as incorporate deployment of new equipment to identify how changes in personnel and assets impact TSA's operational capabilities. TSA shall consult with the Committee on the format and presentation of the report prior to the first submission.

AVIATION SCREENING OPERATIONS

Screening Workforce Pay Strategy.—The Committee recognizes TSA's continued work to improve efforts to retain, hire, and train Transportation Security Officers [TSO] through pay reform initiatives. The screener workforce is critical to identifying and mitigating aviation security threats and these initiatives are key to increase workforce retention; provide opportunities for employees to develop, grow, and enhance their careers; and improve the Nation's overall aviation security posture. The Committee directs TSA to provide a quarterly report on pay reform efforts and the subsequent effect on TSO retention levels. Additionally, TSA shall provide a report to the Committee within 180 days of the date of enactment of this act detailing the number of TSOs hired and corresponding retention levels since fiscal year 2016, delineated by fis-

cal year. As part of this report, TSA shall include a plan for continuous and sustained human capital investment that also incorporates the impact of new technologies and equipment that bring more capabilities to the workforce.

Screening Partnership Program [SPP].—The recommendation maintains necessary funds for security at airports where private screening contracts are in place. The Committee finds that small and rural airports play a critical role in the security of our National Airspace System as the first point of entry for millions of travelers every year. Therefore, the Committee encourages TSA to work with local airport authorities and stakeholders to ensure that appropriate security screening services are deployed to any public use airport with regularly scheduled commercial air service.

International Parental Child Abduction.—The Committee encourages TSA to work with the Office of Children’s Issues within the U.S. Department of State to explore existing TSO training opportunities to ensure that relevant staff are trained to recognize the signs of, and prevent, international parental child abduction. TSA shall report to the Committee within 90 days of the date of enactment of this act, the current training TSA employees undergo to recognize and prevent, international parental child abduction.

Passenger Screening Canine Teams.—The Committee appreciates the important work of the Passenger Screening Canine Program and encourages TSA to continue that effort. TSA shall brief the Committee within 90 days of the date of enactment of this act on efforts to improve the effectiveness of these passenger screening canine teams.

Real-Time Wait Time.—The Committee continues to support TSA’s efforts to improve the traveler experience by providing real-time wait times at security check points. Within 60 days of the date of enactment of this act, TSA is directed to provide a briefing on the implementation of requirements on real-time security checkpoint wait times, as outlined in Section 1922 of the FAA Reauthorization Act (Public Law 115–254). This brief shall detail costs for implementing a pilot program for real-time security checkpoint wait times at an appropriate sampling of TSA category airports.

Credential Authentication Technology [CAT].—Within 90 days of the date of enactment of this act, TSA shall provide a report to the Committee detailing airports at which CAT is currently deployed, airports at which CAT is not currently deployed, and a plan for the full procurement and deployment of CAT systems at all of the Nation’s airports.

Passenger Volume Growth.—TSA shall ensure that future budget requests include a robust forecast of passenger volume in relation to funded staffing levels and the projected improvements in operational capabilities as a result of the continued deployment of new technologies.

Touchless Screening.—The Committee recognizes the work TSA has undertaken to identify a range of innovative options to create a safe, sanitary checkpoint environment for the future wellbeing of TSA personnel and the flying public. TSA shall provide a report to the Committee within 90 days of the date of enactment of this act detailing options to leverage digital capabilities to limit interactions that are not conducive to a touchless screening environment

between passengers and TSOs without adversely impacting the core security mission, and TSA's strategy for procurement and acquisition of available technologies to promote a touchless screening environment.

OTHER OPERATIONS AND ENFORCEMENT

Federal Air Marshal Service [FAMS].—The recommendation includes \$754,069,000 for the FAMS, and includes funding to continue protection of the air transportation system against terrorist threats, sabotage, or other acts of violence. The Committee directs TSA to submit semiannual reports on FAMS mission coverage, staffing levels, and hiring rates as it has done in prior years.

Federal Flight Deck Officer and Flight Crew Training Programs.—The recommendation includes \$20,263,000, as requested, for the Federal Flight Deck Officer and Flight Crew Training programs.

Law Enforcement Officer [LEO] Reimbursement Program.—The recommendation includes \$46,392,000 for the LEO Reimbursement Program. The Committee recognizes the important role that the LEO Reimbursement Program has played in helping airports meet federally-mandated airport security requirements. The Committee directs TSA to maintain and fund the LEO Reimbursement Program.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$134,492,000
Budget estimate, 2022	134,492,000
Committee recommendation	134,492,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$134,492,000 for Procurement, Construction, and Improvements [PC&I], which is equal to the budget request amount and the fiscal year 2021 enacted level.

Checkpoint Support.—The Committee continues to support TSA's efforts to develop open architecture requirements for transportation security equipment [TSE] and requests an update on the development of an established open architecture framework, including well defined requirements and standards, within 120 days of the date of enactment of this act. As TSA transitions to the integrated security enterprise, and similar to the architecture enterprise utilized in the medical industry, the Committee directs TSA to ensure there is a clear definition of the proposed end state, including all workflows and interfaces across the aviation security domain.

Quarterly Briefings.—TSA is directed to continue to provide quarterly briefings on its investment plans for checkpoint security and Explosives Detection Systems [EDS] refurbishment, procurement, and installation on an airport-by-airport basis. These briefings shall include information on specific technologies for purchase, program schedules, major milestones, obligation schedules, recapitalization priorities, status of operational testing for each passenger screening technology under development, and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. These briefings shall also include details on checkpoint screening pilot programs and public-private partnerships that

are in progress or being considered for implementation. Information in this portion of the briefing shall include for each pilot program or public-private partnership: a summary; a description of its goals; potential capabilities and benefits of the program; the airports where the pilots or partnerships will take place; funding commitments; and plans for future expansion. The Committee expects these briefings to include detailed program schedules for passenger screening technologies and these schedules should include all milestones from the issuance of a request for proposal to deployment.

Computed Tomography [CT].—The recommendation includes \$140,492,000 as requested for the purchase and installation of approximately 126 CT machines for passenger checkpoints at the highest-risk airports in the United States, to recapitalize aging screening equipment, add detection capabilities, and improve performance in order to mitigate emerging threats to aviation security. The Committee directs TSA to leverage innovative capabilities to accelerate efforts to improve threat detection.

Explosives Detection Systems [EDS].—The recommendation includes \$30,000,000 as requested for TSA to continue reimbursement of airports that incurred costs associated with the development of a partial or completed in-line baggage system prior to August 3, 2007. As directed in the Joint Explanatory Statements accompanying the Consolidated Appropriations Act, 2016 (Public Law 114–113) and the Consolidated Appropriations Act, 2018 (Public Law 115–141), TSA has validated project cost information submitted by airports to determine allowable and allocable expenses. The Committee continues the previous directive for TSA to brief the Committee on its updated timeline and allocation plan for these funds within 60 days of the date of enactment of this act. The brief shall include a plan for how TSA will address the remaining balance of reimbursement claims in future budget requests.

In-Line Baggage Handling and Screening Systems.—The Committee recognizes the safety benefits of the In-Line Baggage Handling and Screening Systems to improve the security screening of checked baggage. The Committee encourages TSA to continue to support expansion of EDS at small airports to enhance security across the airport system and offer improved capabilities such as: greater ability to differentiate threats using the standalone EDS, reduced processing time for the baggage being screened, and reduction of manual screening to exceptions identified by the EDS.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$29,524,000
Budget estimate, 2022	35,532,000
Committee recommendation	35,532,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$35,532,000 for Research and Development [R&D], which is equal to the budget request amount and \$6,008,000 above the fiscal year 2021 enacted level.

Innovation Task Force [ITF].—The Committee supports TSA’s efforts to rapidly develop and deploy next generation screening solutions to assist screeners in detecting and deterring threats to avia-

tion security, and provides the requested \$18,300,000 for that purpose.

TSA established the ITF to foster innovation in aviation security, address the threat landscape, improve the passenger screening experience, and deliver a next-generation curb-to-gate screening capability. The Committee directs TSA to provide a briefing within 120 days of the date of enactment of this act on how the funds provided will inform future TSA budget requests.

COAST GUARD

The primary responsibilities of the Coast Guard include: enforcement of all applicable Federal laws on the high seas and other waters subject to the jurisdiction of the United States; promotion of safety of life and property at sea; assistance to navigation; protection of the marine environment; and maintenance of a state of readiness to function as a specialized service of the Navy in time of war, as authorized by sections 1 and 2 of title 14, United States Code. The Commandant of the Coast Guard reports directly to the Secretary of Homeland Security.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$13,039,192,000 for the Coast Guard, which is \$167,750,000 above the budget request amount and \$194,238,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee's recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

COAST GUARD [In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	8,485,146	9,020,770	9,066,020
Procurement, Construction, and Improvements	2,264,041	1,639,100	1,711,600
Research and Development	10,276	7,476	7,476
Health Care Fund Contribution (Permanent Indefinite Appropriations)	215,787	240,577	240,577
Retired Pay	1,869,704	1,963,519	1,963,519
Administrative Provisions			50,000
Total, Coast Guard	12,844,954	12,871,442	13,039,192
(Defense)	530,000	530,000	530,000

OPERATIONS AND SUPPORT

Appropriations, 2021	\$8,485,146,000
Budget estimate, 2022	9,020,770,000
Committee recommendation	9,066,020,000

The Operations and Support [O&S] appropriation provides funds for the salaries and benefits of both military and civilian personnel and the operation and maintenance of multipurpose vessels, aircraft, and shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas. The program activities of this appropriation include: search

and rescue; aids to navigation; marine safety; marine environmental protection; enforcement of laws and treaties; Arctic and Antarctic operations; and defense readiness.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$9,066,020,000 for O&S, which is \$45,250,000 above the budget request amount and \$580,874,000 above the fiscal year 2021 enacted level. The total includes \$24,500,000 from the Oil Spill Liability Trust Fund and \$530,000,000 for Coast Guard defense-related activities. With the transition to a new budget structure within the O&S account, the Coast Guard shall report on end of year obligations in the sub-PPA structure included in the fiscal year 2022 budget justification not later than 60 days after the end of the fiscal year. For the fiscal year 2023 budget justification, the Committee expects the request to contain the same sub-PPA level of detail.

Cybersecurity.—The Committee recognizes the need for cyber hardening to ensure resilience, reliability, and integrity of Coast Guard Information Technology networks. The Coast Guard shall brief the Committee within 120 days of the date of enactment of this act on their compliance with DOD information network requirements, including full implementation of the Joint Regional Security Stack. The briefing shall also include an update on plans, if necessary, for a zero trust security model across all information technology infrastructure.

Great Lakes Icebreaking [GLIB] Program Management Office.—The recommendation includes \$5,500,000, \$3,500,000 above the request for pre-acquisition activities, for a new Great Lakes icebreaker that is as capable as USCGC MACKINAW.

Center of Expertise for Great Lakes Oil Spill Preparedness and Response.—The Committee recommends the requested level of \$3,364,000 for the Coast Guard Center of Expertise for Great Lakes Oil Spill Preparedness and Response. The Center is authorized by section 807 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282).

Environmental Remediation Activities.—The Committee recommends \$4,000,000 above the request for activities required for the Coast Guard’s highest priority environmental remediation projects.

U.S. Coast Guard C5I Service Center.—The U.S. Coast Guard C5I Service Center (previously known as the Operations Systems Center) supports the 11 Coast Guard statutory mission areas by housing and maintaining all of the Coast Guard’s IT systems and computer servers, as well as by providing operational watches worldwide through the Mutual-Assistance Vessel Rescue System. The Committee appreciates the Coast Guard’s continued commitment to advancing the work of the C5I Service Center and recommends the full amount requested.

Interoperable Gateway System [IGS] Modernization.—The Committee commends the Department for the ongoing efforts to deploy and modernize the Department’s interoperability initiatives in order to enable critical Federal agencies to seamlessly communicate with each other and with State, local, and private sector partners during emergencies. The Committee recognizes the further need to

deploy IGS interoperability technologies throughout the Coast Guard in order to connect radio, voice, text, video, and data files in a secure environment. The Coast Guard is encouraged to explore the feasibility and value of incorporating IGS technology into its operations and brief the Committee on the results of its assessment not later than 120 days after the date of enactment of this act.

National Academies Light Natural Gas [LNG] Study.—The Committee recommends \$550,000 above the request to carry out section 8254(b) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), which directs the Coast Guard to fund a National Academies study to evaluate the constraints and challenges to maintaining examination efficiency under the Certificate of Compliance inspection program as U.S. LNG export traffic increases at U.S. ports and issue recommendations to maintain the efficiency of the program. Ensuring that the Coast Guard continues to efficiently facilitate inspections of vessels in years ahead, including but not limited to vessels engaged in U.S. LNG exports, is vital to U.S. consumers and marine and energy industry workers.

Child Care Subsidy.—The Committee recognizes that the availability of childcare is crucial for Coast Guard families, especially those in high cost of living areas, as well as those stationed in remote locations without access to Coast Guard or Department of Defense child care facilities. The recommendation includes \$4,000,000 above the request to meet increased demand for the child care subsidy.

Fishing Safety Training and Research.—The Committee supports an agreement between the Coast Guard and the National Institute for Occupational Safety and Health [NIOSH] to efficiently administer the Fishing Safety Training and Fishing Safety Research Grant Programs and recommends \$6,000,000 above the request to continue administering both grants in fiscal year 2022. The Committee encourages the Coast Guard and NIOSH to evaluate the Federal cost-share associated with these grant programs and consult with fishing safety training experts in the development of grant program guidelines. If necessary, a small percentage of the funds appropriated may be used to cover the Federal costs associated with NIOSH's administration of the programs.

Towing Vessel Inspection Fee.—The Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) directed the Coast Guard to review and compare the costs to the Federal Government of towing vessel inspections performed directly by the Coast Guard and those performed through the Towing Safety Management System [TSMS]. Based on that review, the Act requires the Coast Guard to revise user fees for each inspection option to reflect its actual cost. Not later than 60 days after the date of enactment of this act, the Coast Guard shall brief the Committee on the progress of its assessment and rulemaking to distinguish between user fees charged to vessel owners using the Coast Guard and TSMS options.

Unmanned Surface Vehicles [USV].—The Committee directs the Coast Guard to report on its plans for research and development activities related to USVs, including an evaluation of wind and solar powered vessels with surface and subsurface capabilities, not later than 90 days after the date of enactment of this act. The

Committee also expects to be updated on the findings of this research as they become available.

Minor Shore Infrastructure.—The bill includes long-established language to allow funds for operations to be used for the sustainment, repair, replacement, and maintenance of shore infrastructure projects, including projects to correct deficiencies in code compliance or to mitigate against threats to life, health, or safety, with costs not exceeding 75 percent of a building's or structure's replacement value. Additionally, O&S funds can be used for contingent, emergent, or other unspecified minor construction projects which include new construction, procurement, development, conversion, rebuilding, improvement, or extension of any facility not exceeding \$2,000,000 in total cost at any location for planned or unplanned operational needs.

Eradicating Inappropriate Behavior.—The Committee commends the Coast Guard on moving quickly to address recent harassment and inappropriate behavior that occurred at the United States Coast Guard Academy and shares in the Coast Guard's desire to eradicate harassment and inappropriate behavior within all aspects of the service. However, the committee is concerned by a 2020 Report issued by the DHS Office of the Inspector General that found that "one-third of the cadets who responded to a question about reporting said their decision to report harassment would be influenced by whether they believed they would be negatively affected by reporting." The Committee will continue to work with Coast Guard leadership to ensure that all instances of inappropriate behavior are addressed in an appropriate and timely manner, and to provide for training to the workforce (both military and civilian) that raises awareness and empowers individuals to report instances of harassment and inappropriate behavior. Within 90 days of the date of enactment of this act, the Coast Guard shall provide a briefing to the Committees regarding all efforts to reduce and address harassment and inappropriate behavior within the Service, including an overview of planned efforts for future implementation.

Illegal, Unreported, and Unregulated fishing.—The Commandant shall provide a report to the Committee not later than 180 days after the date of enactment of this act on maritime domain awareness efforts to combat the threats posed by illegal, unreported, and unregulated fishing. The report should be submitted in unclassified form, but may include a classified annex.

Unfunded Priorities List [UPL].—The Committee directs the Coast Guard to provide to the Committee at the time of the fiscal year 2023 budget request submission a list of approved but unfunded Coast Guard priorities and the funding needs for each priority.

Quality of Life [QOL] Projects Priority List.—The Committee notes the ongoing challenges that the lack of QOL projects, such as the shortage of Childcare Development Centers [CDCs], creates a hardship to service members and their families. The Committee notes that stable family life is a key component to mission readiness and retention. The Committee believes that requesting these QOL projects should be prioritized by the Coast Guard when formulating the annual budget request. Therefore, the Committee directs the Commandant to submit a plan to the Committee no later

than 90 days after the date of enactment of this act that addresses QOL shortfalls, including the identification of such projects in the annual budget request.

Tuition Assistance.—The Committee recommends \$20,000,000 above the request for additional tuition assistance to reach Service parity.

Recruiting and Diversity.—The Committee recommends \$7,200,000 above the request for additional efforts in recruiting and supporting a diverse workforce.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$2,264,041,000
Budget estimate, 2022	1,639,100,000
Committee recommendation	1,711,600,000

The Procurement, Construction, and Improvements [PC&I] appropriation provides funds for vessels, aircraft, information management resources, shore facilities, aids to navigation, and military housing required to execute the Coast Guard’s missions and achieve its performance goals.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,711,600,000 for PC&I, which is \$72,500,000 above the budget request amount and \$552,441,000 below the fiscal year 2021 enacted level. The total includes \$20,000,000 from the Oil Spill Liability Trust Fund.

Fleet Mix Analysis.—The Committee recognizes ongoing acquisition programs for various cutter classes that are responsible for many of, but not all, Coast Guard missions. While programs have correctly been prioritized around recapitalizing the oldest vessels in the fleet, several cutter classes are rapidly approaching the end of their service lives, while others have long surpassed their service lives. In order to best understand future capital investment needs, the Coast Guard shall provide to the Committee within 180 days of the date of enactment of this act, a comprehensive analysis that provides a fleet mix sufficient to carry out the assigned missions of the Coast Guard and other emerging mission requirements. The Coast Guard shall brief the Committee within 60 days of the date of enactment of this act on its plans to carry out this requirement.

Full-Funding Policy.—The Committee again directs an exception to the administration’s current acquisition policy that requires the Coast Guard to attain the total acquisition cost for a vessel, including long lead time materials [LLTM], production costs, and post-production costs, before a production contract can be awarded. This policy has the potential to make shipbuilding less efficient, to force delayed obligation of production funds, and to require post-production funds far in advance of when they will be used. The Department should position itself to acquire vessels in the most efficient manner within the guidelines of strict governance measures.

Domestic Content.—To the maximum extent practicable, the Coast Guard shall utilize components that are manufactured in the United States when contracting for new vessels. Such components include: auxiliary equipment, such as pumps for shipboard services; propulsion equipment, including engines, reduction gears, and propellers; shipboard cranes; and spreaders for shipboard cranes.

Command and Control, Communications, Computer, Cyber, and Intelligence [C5I] Systems.—The Committee recommends resources requested to maintain program management activities and deliver operational and mission support capabilities for C5I systems. Fiscal year 2022 funding shall focus on MILSATCOM recapitalization of shore units, recapitalization of the Maritime Security Risk Analysis Model application, and beginning the transition to a network infrastructure that supports operations in a secure mobile environment.

VESSELS

Offshore Patrol Cutter [OPC].—The Committee provides the requested amount of \$597,000,000 for the construction of the fourth OPC and LLTM for the fifth OPC. While the Committee supports OPC procurements, the Committee remains concerned about costs for the program and continues the requirement for the Coast Guard to brief the Committee within one week prior to taking any procurement actions impacting estimated costs for the OPC program.

Fast Response Cutter [FRC] Program.—In accordance with the Coast Guard's recapitalization plan, the Committee has completed funding for the replacement of legacy 110-foot Island Class patrol boats with FRCs that will operate similarly in the coastal zone. The Coast Guard is encouraged to notify the Committee if additional FRCs are necessary to support the Department of Defense in Patrol Forces Southwest Asia.

Polar Ice Breaking Vessel.—The Committee recognizes the value of heavy polar icebreakers in promoting the national security and economic interests of the United States in the Arctic and Antarctic regions. Due to delays that are consistent with complex, first-in-class surface acquisition programs as well as management delays exacerbated by the global pandemic, the schedule projects that the amount requested for LLTM for the third heavy polar icebreaker is not necessary in fiscal year 2022. Therefore, the recommendation does not include \$120,000,000 from the request.

Polar Star.—The recommendation includes \$15,000,000 to carry out a service life extension program for the POLAR STAR as the Coast Guard continues to modernize its icebreaking fleet.

Waterways Commerce Cutter [WCC].—The Committee is aware that the Coast Guard's fleet of inland waterways and western river cutters, ranging in size from 65 to 160 feet, were commissioned between 1944 and 1990. This fleet ensures the integrity of the structures, beacons, buoys, and other aids to navigation that support the United States' vital inland and coastal marine transportation corridor and highway system. In addition to the presence of asbestos and lead paint in many of the vessels, the fleet cannot accommodate mixed gender crews in accordance with the Coast Guard's workforce goals. The Committee recommends \$67,000,000, as requested, for activities necessary to recapitalize the WCC fleet.

AIRCRAFT

Coast Guard MH-60 Fleet.—The Committee supports the recapitalization of the Coast Guard's aging fleet of 45 Sikorsky MH-60Ts and the procurement of new airframes for the MH-60 fleet necessary to extend the fleet's service life. The recommendation in-

cludes \$98,000,000 above the request to provide for new hulls and dynamic components to accelerate the rotary wing fleet transition, as included in the Unfunded Priorities List.

OTHER ACQUISITION PROGRAMS

Counter-Unmanned Aircraft Systems [UAS] Technology.—The Committee supports the Coast Guard’s efforts to address the security vulnerabilities posed by UAS. The Committee recommends \$9,166,000, as requested, for counter-UAS efforts, including \$2,466,000 in O&S, \$4,500,000 in PC&I, and \$2,200,000 in R&D funding. These funds will ensure mirrored capabilities of both Maritime Security Response Teams [MSRT], which provide the Service’s capability for counter-UAS during National Security Special Events, recapitalization of existing C–UAS systems, and continued R&D of C–UAS technology to meet national security requirements. The Coast Guard should continue to evaluate and assess the demand for this capability, including the potential for the procurement of additional commercially available technologies, in balance with the training and proficiency requirements to operate in this technologically dynamic space.

SHORE FACILITIES AND AIDS TO NAVIGATION

Major Shore, Housing, Aids to Navigation [ATON], and Survey and Design.—The Committee recommends funding the major shore, housing, ATON, and survey and design projects included in the request. In addition, the Committee recommends \$19,500,000 above the request for the top three projects on the Coast Guard’s Unfunded Priorities List [UPL] to address shore construction supporting operational assets and maritime commerce.

Major Acquisition Systems Infrastructure [MASI].—The recommendation includes funding for the MASI projects in the request. In addition, the Committee recommends \$75,000,000 above the request for the top MASI priority on the UPL to prepare for OPC homeporting.

Minor Shore.—The recommendation includes funding for the minor shore projects in the request and supports completion of minor projects that have cost estimates exceeding the Coast Guard’s authorized use of O&S funds. While the Coast Guard does not have authority to expend construction funding on non-Federal roads, the Committee encourages the Coast Guard to work with local communities to ensure accessibility to Coast Guard facilities.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$10,276,000
Budget estimate, 2022	7,476,000
Committee recommendation	7,476,000

The Coast Guard’s Research and Development [R&D] appropriation provides funds to develop techniques, methods, hardware, and systems that contribute directly to increasing the productivity and effectiveness of the Coast Guard’s operational missions. This appropriation also provides funds to operate and maintain the Coast Guard Research and Development Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$7,476,000 for R&D, as requested, and \$2,800,000 below the fiscal year 2021 enacted level.

HEALTH CARE FUND CONTRIBUTION

Appropriations, 2021	\$215,787,000
Budget estimate, 2022	240,577,000
Committee recommendation	240,577,000

According to estimates by the Congressional Budget Office, the Coast Guard will pay \$240,577,000 in fiscal year 2022 to the Medicare-Eligible Retiree Health Care Fund for the costs of military Medicare-eligible health benefits earned by its uniformed service members. The contribution is funded by permanent indefinite discretionary authority pursuant to Public Law 108–375.

RETIRED PAY

Appropriations, 2021	\$1,869,704,000
Budget estimate, 2022	1,963,519,000
Committee recommendation	1,963,519,000

The Retired Pay account provides for: the pay of retired military personnel of the Coast Guard, Coast Guard Reserve, and members of the former Lighthouse Service; annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan pursuant to sections 1431–1446 of title 10, United States Code and survivor benefit plan pursuant to sections 1447–1455 of title 10, United States Code; payments for career status bonuses under the National Defense Authorization Act (Public Law 115–232); continuation pay; and payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C., ch. 55).

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,963,519,000 for Retired Pay, as requested, and \$93,815,000 above the fiscal year 2021 enacted level.

UNITED STATES SECRET SERVICE

The United States Secret Service's [USSS] appropriation provides funds for: the protection of the President, the Vice President, and other dignitaries and designated individuals; enforcement of laws relating to obligations and securities of the United States; enforcement of laws and investigations relating to financial crimes that include, but are not limited to, access device fraud, financial institution fraud, identity theft, and computer fraud; mitigation against computer-based attacks on financial, banking, and telecommunications infrastructure; and protection of the White House and other buildings within the Washington, D.C. metropolitan area. The agency also provides support for investigations related to missing and exploited children and for digital forensics investigative training for State and local cybersecurity task forces.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,577,687,000 for USSS, which is \$5,770,000 above the budget request amount and \$139,686,000 above the fiscal year 2021 enacted level. The Committee recognizes the successes of USSS in the face of persistent protection requirements and increasing global investigations. The Committee encourages the agency to continue a proactive approach to hiring new personnel and recognizes that work remains to ensure the agency is properly staffed.

UNITED STATES SECRET SERVICE

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	2,373,109	2,514,758	2,520,528
Procurement, Construction, and Improvements	52,955	54,849	54,849
Research and Development	11,937	2,310	2,310
Total, USSS	2,438,001	2,571,917	2,577,687

OPERATIONS AND SUPPORT

Purchased and Leased Vehicles.—The Committee makes the USSS recommended legislative change to the bill by striking the text “for replacement only”. The Committee notes that even with the revisions, the bill language does not adequately reflect the USSS leased and purchased vehicle program and fleet. The Committee directs the USSS to suggest updated legislative language for the fiscal year 2023 budget submission that accurately captures the purchased and leased vehicles program and fleet.

National Security Special Events [NSSE] Designation Process.—Pursuant to existing law, the President determines special events of national significance, which then authorizes the USSS, under the direction of the Secretary, to participate in the planning, coordination and implementation of security operations at such events, known as NSSE. As the subject matter experts on NSSE planning and coordination, the USSS is directed to provide a report to the Committee, not later than 180 days after the date of enactment of this act, which provides the full process for NSSE designation, including, how formally or informally events are recommended for designation, pre, during, and post-event preparations and planning, and shall include a recommendation as to whether the NSSE designations process should be updated to facilitate additional avenues of formal NSSE designation.

Appropriations, 2021	\$2,373,109,000
Budget estimate, 2022	2,514,758,000
Committee recommendation	2,520,528,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,520,528 for Operations and Support [O&S], which is \$5,770,000 above the budget request amount and \$147,419,000 above the fiscal year 2021 enacted level.

PROTECTIVE OPERATIONS

Protection of Persons and Facilities.—The Committee recommends \$848,996,000 for Protection of Persons and Facilities, which is the same as the request and \$30,201,000 above the fiscal year 2021 enacted level.

Protective Countermeasures.—The Committee recommends \$87,762,000 for Protective Countermeasures, which is the same as the request and \$19,580,000 above the fiscal year 2021 enacted level, to protect the President and Vice President against emerging explosive, chemical, biological, radiological, and cyber threats. The Committee continues to support these efforts, including advanced protective countermeasures designed to address both established and evolving threats.

Presidential Campaigns and NSSE.—The Committee recommends \$19,000,000, which is the same as the request and \$64,725,000 below the fiscal year 2021 enacted level, to support currently planned and unanticipated NSSEs. The Committee directs the USSS to provide semiannual briefings to the Committee on the use of these funds, with the first briefing to occur not later than 180 days after the date of enactment of this act.

Report on Open Source Threats to USSS Protectees Prior to January 6th.—The Committee notes that in fiscal year 2021, the Committee provided \$52,155,000 for Protective Intelligence functions, which supply the critical first line of support for the USSS protective mission. The Committee commends the work of the Open Source Branch [OSB], a branch of the USSS Protective Intelligence and Assessment Division [PID] and is concerned about whether OSB is adequately resourced. Within 90 days of the date of enactment of this act, the USSS shall submit a report to the Committee that examines the efforts to identify open source threats against any protectees in the lead up to the events of January 6th, 2021. The report shall include an evaluation of the lessons learned in light of the attack on the U.S. Capitol, summarize all open source and classified Intelligence Community [IC] sourced threats towards any protectee, include specific details identifying when USSS discovered such open source threats against any protectee, and provide USSS response to such threats, including whether the protectee, or any other member of the Executive Branch, was made aware of such threats prior to January 6th, 2021. The report shall clearly delineate the timeline for each item above. The report shall also provide detailed recommendations for any resource needs identified for OSB during such review even if they were included in the fiscal year 2022 request and provide a detailed justification for such requests, noting whether such requirements would have helped identify threats to any protectees in the lead up to January 6th, 2021.

FIELD OPERATIONS

Domestic and International Field Operations.—The Committee recommends \$705,391,000 for Domestic and International Field Operations, which is the same as the request and \$18,808,000 above the fiscal year 2021 enacted level.

Cyber Fraud Task Forces.—The Committee notes that USSS is a lead Federal agency in the effort to protect U.S. consumers, financial institutions, and small businesses from complex, cyber-enabled financial crimes. Such offenses include Business Email Compromise scams, network intrusions, online identity theft, ransomware, and the use of electronic “skimming” devices, typically at gas station pumps or ATM machines, which steal encoded information from debit and credit cards. The Committee remains concerned about the growing threat to consumers posed by such practices, and encourages the Secret Service, in partnership with the Federal Trade Commission, the Department of Justice and other law enforcement agencies to strengthen efforts to apprehend the perpetrators of these crimes. The Committee recognizes the work of the USSSs Cyber Fraud Task Forces in combatting organized criminal elements and the criminal abuses of technology, both in the United States and abroad. Not later than 120 days after the date of enactment of this act, the Committee directs USSS to provide a briefing on the efforts of its Cyber Fraud Task Forces, including the current state of the program and any future needs to ensure these task forces are keeping up with evolving cyber-threats.

Support for Missing and Exploited Children Investigations.—The recommendation includes \$6,000,000 for grants in support of missing and exploited children. The National Center for Missing and Exploited Children [NCMEC] was created in 1984 to serve as a national resource on missing and exploited children. NCMEC provides assistance to law enforcement for: long-term missing persons cases; identification of signs of facial reconstruction procedures; outreach and prevention programs for children, their families, and the public; and assistance to victims of child sex trafficking and child sexual exploitation.

Support for Computer Forensics Training.—The Committee recommends \$42,930,000, which is \$5,770,000 above the request and \$8,553,000 above the fiscal year 2021 enacted level, to continue training in computer forensics and to expand in response to unmet training needs. These resources are in support of the National Computer Forensics Institute, which trains SLTT law enforcement and legal and judicial professionals in computer forensics and cyber investigations. This training is critical to bolstering State and local cyber capabilities and supports USSS Cyber Fraud Task Forces.

Assessment of Support for Computer Forensics Training.—Of the total amount provided in fiscal year 2020, \$1,500,000 was included for a pilot program to maximize and evaluate effective instruction at the National Computer Forensics Training Institute. The program is accomplished through partnership with a university-based digital investigation center and using methods such as student assessment. The Committee directs the USSS to provide a report not later than 180 days after the date of enactment of this act on the use of those funds to meet previously unmet needs, including any additional efficiencies achieved in preparing for and assessing the training of students.

NCFI Accreditation and Work Force Professionalization.—The NCFI’s training center is dedicated to providing State and local law enforcement, and legal and judicial professionals with free, com-

prehensive education on current cybercrime trends, investigative methods, and prosecutorial and judicial challenges. However, NCFI courses are not presently accredited. The Committee recommends \$5,700,000 above the budget request to rectify the NCFI certification in order to incentivize professionalization of the workforce and enhance the law enforcement community as a whole. NCFI shall design and develop a cluster of courses focused on incident response and network security, as well as open a new and sustainable student pipeline to grow the Nation's workforce in this area. Course participants will be able to earn a higher degree and pursue professional development in the course of government service.

BASIC AND IN-SERVICE TRAINING AND PROFESSIONAL DEVELOPMENT

The Committee recommends full funding for the necessary FLETC training courses and Rowley Training Center courses, including the 14 Special Agent training courses, 14 Uniformed Division training courses, and 24 Mixed Basic training courses, planned for fiscal year 2022.

First Amendment Training.—The Committee recognizes that the nature of the USSS' protective mission necessarily means that employees will encounter individuals engaged in protected First Amendment conduct. Within 90 days of the date of enactment of this act, USSS shall provide a briefing to the Committee on any current First Amendment training personnel currently receive, whether such training has substantially changed over the course of the last five years, and the current status of any such Civil Disobedience Units, including personnel and other capabilities. The Committee encourages the USSS to engage the Office of Civil Rights and Civil Liberties [CRCL] within the Department, to assess and assist agency leadership in ensuring that any such current training is appropriate for personnel, as they prepare for, respond to, and encounter First Amendment-protected events in a manner that diligently protects the civil rights, liberties, and privacy of persons engaging in First Amendment-protected conduct.

MISSION SUPPORT

Operational Mission Support.—Operational Mission Support [OMS] underpins nearly every USSS protective mission, from the screening of people and vehicles to physical infrastructure improvements, including vehicle barriers, cameras, and the White House fence. OMS is also responsible for developing the Next Generation Presidential Limousine. The Committee directs the USSS to provide the Committee with annual updates on the contract progress for this acquisition and to detail progress made to meet agreed upon delivery deadlines.

Strategic Human Capital Plan.—The Committee appreciates receiving the Strategic Human Capital Plan and notes that the plan largely met congressional requirements. The Committee continues to be concerned with the prolonged workforce effects stemming from USSS reliance on overtime pay to fill personnel gaps between protective and investigative operations. The Committee directs the USSS, in coordination with the Department's Chief Human Capital Officer, to ensure the annual evaluation of the 5-year plan in order to meet all benchmarks and goals as identified. The Committee fur-

ther directs the USSS to brief the Committee, not less than bi-annually, on the status of the plan.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$52,955,000
Budget estimate, 2022	54,849,000
Committee recommendation	54,849,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$54,849,000 for Procurement, Construction, and Improvements [PC&I], which is the same as the budget request amount and \$1,894,000 above the fiscal year 2021 enacted level.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$11,937,000
Budget estimate, 2022	2,310,000
Committee recommendation	2,310,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,310,000 for Research and Development [R&D] for innovations that mitigate threats to U.S. financial systems, critical infrastructure, and persons and facilities protected by USSS. This amount is the same as the request and \$9,627,000 below the fiscal year 2021 enacted level.

TITLE II—ADMINISTRATIVE PROVISIONS

Section 201. The Committee continues a provision regarding overtime compensation.

Section 202. The Committee continues a provision allowing CBP to sustain or increase operations in Puerto Rico with appropriated funds.

Section 203. The Committee continues a provision regarding the availability of Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99–272) fee revenue.

Section 204. The Committee continues a provision allowing CBP access to certain reimbursements for preclearance activities.

Section 205. The Committee continues a provision regarding the importation of prescription drugs by an individual for personal use.

Section 206. The Committee continues a provision regarding waivers of the Jones Act (Public Law 66–261).

Section 207. The Committee continues a provision prohibiting the establishment of a new border crossing fee.

Section 208. The Committee includes a provision requiring an expenditure plan for CBP’s Procurement, Construction, and Improvements account.

Section 209. The Committee continues and modifies a provision limiting construction in specific areas.

Section 210. The Committee includes a provision on vetting operations at existing locations.

Section 211. The Committee continues a provision prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” for a 287(g) pro-

gram agreement if the terms of the agreement governing the delegation of authority have been materially violated.

Section 212. The Committee continues a provision prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” to contract for detention services provided by a facility that receives less than “adequate” ratings in two consecutive performance evaluations.

Section 213. The Committee continues provisions prohibiting ICE from removing sponsors or potential sponsors of unaccompanied children based on information provided by the Office of Refugee Resettlement as part of the sponsor’s application to accept custody of an unaccompanied child, except when that information meets certain criteria and continues provisions that require ICE to provide statistics about its supervised populations.

Section 214. The Committee continues prohibitions on the use of funds to take enforcement actions against sponsors of unaccompanied children and continues reporting requirements for ICE.

Section 215. The Committee continues a provision clarifying that certain elected and appointed officials are not exempt from Federal passenger and baggage screening.

Section 216. The Committee continues a provision requiring risk-based TSA awards for EDS.

Section 217. The Committee continues a provision authorizing TSA to use funds from the Aviation Security Capital Fund for the procurement and installation of EDS or for other purposes authorized by law.

Section 218. The Committee includes a provision requiring investment plans and reports.

Section 219. The Committee continues a provision prohibiting the use of funds made available by this act under the heading “Coast Guard—Operations and Support” for recreational vessel expenses, except to the extent fees are collected from owners of yachts and credited to this appropriation.

Section 220. The Committee continues and updates a provision allowing up to \$10,000,000 to be reprogrammed to or from Military Personnel within “Coast Guard—Operations and Support”.

Section 221. The Committee continues a provision requiring the Coast Guard submit a future years capital investment plan.

Section 222. The Committee amends a provision allowing certain defense funding to be reallocated without regard to Department-wide reprogramming restrictions.

Section 223. The Committee continues and updates a provision prohibiting funds from being used to reduce the staff or mission at the Coast Guard’s legacy Operations Systems Center.

Section 224. The Committee continues a provision prohibiting the Coast Guard from performing an Office of Management and Budget Circular A-76 study at the Coast Guard National Vessel Documentation Center.

Section 225. The Committee continues a provision prohibiting the Coast Guard from reducing operations within the Civil Engineering program.

Section 226. The Committee adds a provision making available certain Coast Guard housing receipts.

Section 227. The Committee continues a provision allowing USSS to obligate funds in anticipation of reimbursement to personnel receiving training.

Section 228. The Committee continues a provision prohibiting the use of funds made available to USSS for the protection of the head of a Federal agency other than the Department of Homeland Security, unless the Director has entered into a reimbursable agreement for such protection services.

Section 229. The Committee continues a provision allowing for funds made available for “United States Secret Service—Operations and Support” to be available for travel of employees on protective missions without regard to limitations on such expenditures in this or any other act after notification to the Committee.

Section 230. The Committee continues a provision providing flexibility to address travel anomalies as a result of protective travel.

Section 231. The Committee includes a provision to restrict the use of Homeland Security Investigations personnel and resources in the enforcement of civil immigration law.

Section 232. The Committee includes a provision to repurpose previously appropriated funds to support the work of the Family Reunification Task Force.

Section 233. The Committee includes a provision providing additional funding to “Coast Guard—Procurement, Construction, and Improvements” for grants related to the construction of the National Coast Guard Museum.

Section 234. The Committee includes a provision requiring an individualized custody recommendation and risk assessment for persons subject to detention under the Immigration and Nationality Act.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

The Cybersecurity and Infrastructure Security Agency [CISA] aims to foster better integration of national approaches among strategic homeland security programs, facilitate infrastructure protection, and ensure broad emergency communications capabilities.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$2,638,078,000 for CISA, which is \$504,448,000 above the budget request amount and \$613,102,000 above the fiscal year 2021 enacted level. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

[in thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	1,662,066	1,691,520	2,077,585
Procurement, Construction, and Improvements	353,479	418,179	530,562
Research and Development	9,431	3,931	9,931
Cyber Response and Recovery Fund .....	.....	20,000	20,000
 Total, Cybersecurity and Infrastructure Security Agency	 2,024,976	 2,133,630	 2,638,078
(Defense)	1,941,487	2,049,486	2,550,905

CISA shall brief the Committee quarterly on spend plans and hiring briefings consistent with the direction requirements in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2021 (Public Law 116–260).

The Committee is concerned that briefings on the infrastructure security mission and National Critical Functions have not been provided as required in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2021 (Public Law 116–260). The intent of the required briefings is to provide greater transparency into the attention received by these important initiatives from CISA leadership and how coordination with other DHS components is being conducted. The lack of fulfilling basic briefing requirements furthers concerns that matters are not in order. The Committee expects to receive the briefings without delay.

OPERATIONS AND SUPPORT

Appropriations, 2021	\$1,662,066,000
Budget estimate, 2022	1,691,520,000
Committee recommendation	2,077,585,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,077,585,000 for Operations and Support [O&S], which is \$386,065,000 above the budget request amount and \$415,519,000 above the fiscal year 2021 enacted level.

CYBERSECURITY

Threat Hunting.—In the face of cyber threats from nation-state adversaries such as Russia, China, Iran, and North Korea, the Committee provides an increase of \$24,000,000 above the request for threat hunting. CISA is encouraged to develop emulation capabilities to better understand complex adversaries, identify issues earlier in a campaign, and otherwise disrupt activity once a compromise is known. CISA should work to recommend and issue proactive guidance based on intelligence and learned behaviors following the positive identification of a compromise. This funding is in addition to over \$122,000,000 provided in the American Rescue Plan Act of 2021 (Public Law 117–2) in January 2021. Within 180 days of the date of enactment of this act, CISA shall provide a report to the Committee on the total capacity of threat hunting and incident response capability it has developed using a metric by which its ability to respond to the severity and quantity of incidents can be measured.

Cyber Threat Intelligence Shared Service Offering.—To most effectively use funds and ensure efficient consumption of cyber threat intelligence to the extent possible, all elements of the U.S. Federal civilian government should consume cyber threat intelligence through a unified shared services program operated by CISA. CISA should contract with specialized vendors that provide indicators, threat feeds, and finished intelligence reports that CISA can validate and distribute across all users. This would create a uniform, high-level standard of protection across the “.gov” and reduce overhead from duplicative contracting actions at the Department and Agency level. CISA will create a new office to coordinate this program and ensure staff have proper background and skills to effectuate these goals. The Committee includes \$2,500,000 above the request to create a separate service offering under the Cybersecurity Shared Services Office. Projected additional benefits include seeking intelligence from specialized providers; creating common requirements across the Federal Civilian Executive Branch [FCEB] agencies to advance intelligence capabilities; utilizing vendor performance, effectiveness, and impact analyses; and achieving cost savings through integration into common streams. The shared services approach is projected to enable validated intelligence from U.S. Federal and international partners without revealing their particular channel, thus making critical information widely available without compromising sources or methods. Within 180 days of the date of enactment of this act, CISA shall brief the Committee

on a strategy to develop and execute a cyber-threat intelligence shared service offering for FCEB Agencies.

Implementing Endpoint Threat Detection.—Within 180 days of the date of enactment of this act, DHS shall provide a report to the Committee on the Department’s response to the requirement in Executive Order 14028, Improving the Nation’s Cybersecurity, to implement a centrally located Endpoint Detection and Response [EDR] initiative. The report shall include: details on how funding for the program should be sustained over the coming years; details on how solutions for the requirement can leverage best-in-class, commercial, off-the-shelf [COTS] technologies and cloud architectures; and how the EDR requirement is being integrated with adjacent CISA cybersecurity functions, such as Threat Hunting, core endpoint security requirements (e.g., Next Generation Anti-virus), Patch Management, and Incident Response.

Regional Information Sharing.—The Committee reminds CISA that the report required in Senate Report 116–125 regarding cybersecurity information sharing pilot programs shall be provided to the Committee within 30 days of the date of enactment of this act. The Director of CISA shall provide the Committee with a written justification for any delay in the submission of the report.

Voluntary Threat Detection Programs.—The Committee recommends an increase of \$95,549,000 above the request to further CISA’s efforts, including CyberSentry, for voluntary threat detection in critical infrastructure. Funds shall be used to support work with critical infrastructure providers enabling the voluntary placement of sensors at the boundary between operational technology and information technology systems. Expenditures may include increases in personnel support to programs, the procurement and installation of sensors, system integration support, and contractor support for coordinating with participating organizations.

Vulnerability Management.—The Committee provides \$700,000 above the request to implement section 1705 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283). The Committee encourages DHS to use architecture vulnerability analysis and supporting technology to assist critical infrastructure partners in layering visibility onto their Operational Technology networks. Deploying existing industry-specific solutions, which ensure stakeholder privacy and leverage threat and vulnerability intelligence, will more quickly allow organizations, such as DHS, to characterize potential consequences across domestic sectors during a systemic supply chain event.

Vulnerability Management Infrastructure.—The Committee recognizes that as the number of networked devices across cyberspace increases exponentially, so does the number of identified and reported vulnerabilities in the software and hardware that operates critical infrastructure globally. The Committee provides an increase of \$10,022,000 above the request for the underlying infrastructure that enables better identification, analysis, and publication of known vulnerabilities and common attack patterns, including through the National Vulnerability Database, and to expand the coordinated responsible disclosure of vulnerabilities.

Cybersecurity Education.—The Committee notes the ongoing work of CISA and NAPA to complete a comprehensive review of CISA’s program to build a national cybersecurity workforce. Results of the review will aid in refining the approach to a critical National need in developing the workforce of the future. In order to further progress on the cybersecurity workforce development effort, the Committee recommendation includes \$5,000,000 above the request to enhance cybersecurity education and training and programs to address the national shortfall of cybersecurity professionals, including activities funded through the use of grants or cooperative agreements as needed in order to fully comply with congressional intent.

Cybersecurity Education and Training Assistance Program [CETAP].—The recommendation rejects the proposed \$4,300,000 reduction for CETAP, the program that improves education delivery methods for K–12 students, teachers, counselors, and post-secondary institutions and encourages students to pursue cybersecurity careers. As stated in previous years, any proposed reductions to cybersecurity education will not be considered unless CISA provides a clear plan for how the previously funded activities would be fully realigned within other agencies in a manner that sustains the objectives of this critical effort. The Committee notes that a need exists to both “upskill” and “reskill” the current and future Federal cybersecurity workforce to address the shortage of qualified cybersecurity professionals by greatly expanding the successful Federal Cyber Reskilling Academy and other important cyber training initiatives. CISA shall provide a brief to the Committee within 30 days of the date of enactment of this act, on its inter-agency efforts with OMB to determine the best Federal agency or department to champion and support individual cybersecurity training and future growth of education programs.

Executive Order on Improving the Nation’s Cybersecurity.—The Committee provides \$1,850,000 above the request for CISA to manage the directives lifecycle and fulfill its responsibilities related to strategic recovery, Executive Order 14028 (Improving the Nation’s Cybersecurity), and other relevant directives and orders.

Multi-State Information Sharing and Analysis Center [MS-ISAC].—Of the total amount recommended, not less than \$38,000,000 is for the MS-ISAC, which is \$10,986,000 above the request. The Committee is encouraged by the successes of the MS-ISAC to provide cost effective and innovative solutions to State, Local, Tribal and Territorial [SLTT] governments. The recommendation includes funding to sustain and continue to expand and invest in the program’s capabilities and expertise, to include SLTT election security support via the Election Infrastructure Information Sharing and Analysis Center [EI-ISAC]; endpoint detection and response [EDR]; malicious domain activity blocking and reporting [MBDR]; and improving threat intelligence capabilities.

Federal Network Security Reporting.—Since its inception in fiscal year 2009, \$4,384,478,000 has been appropriated for National Cybersecurity Protection System [NCPS] and \$2,157,971,000 has been appropriated for Continuous Diagnostics and Mitigation [CDM] since it began in fiscal year 2012. The Committee directs CISA to provide a progress report, within 180 days of the date of enactment

of this act, on the success of each Federal agency and department to implement the established program goals. The report shall also include an accounting of non-CISA resources that lent to implementation in order to provide needed context on the entire effort. Finally, the report shall include a description of implementation through fiscal year 2026, including desired target completion goals, methods for updating lifecycle costs, acquisition program schedules, and details on how innovation and evolving technology such as end point detection could improve Federal network and data security. This report may be submitted in a classified format if necessary along with an unclassified summary that provides a summary of progress.

National Cybersecurity Protection System [NCPS].—Robust cybersecurity and vulnerability management across the entirety of Federal Government networks is even more critical following the SolarWinds supply chain breach. The Committee is pleased with the development of NCPS to secure the Federal Government’s domain, however, further work is needed to ensure CISA expeditiously develops and implements capabilities that address new and emerging threats. Until that occurs, cybersecurity efforts will not have the capacity necessary to meet the challenges of today’s cyber threat environment. The evolution of the NCPS program to better integrate data sets with core infrastructure and analytics capabilities will be a valuable platform on which to overlay critical cyber data sets and improve operational visibility. Therefore, the Committee directs DHS to provide a roadmap within 180 days of the date of enactment of this act that details the investment milestones to integrate the full range of cybersecurity data sets collected across CISA investment programs, to include vulnerability management and incident response data sets into the analytic infrastructure and framework of the restructured NCPS program.

Joint Cyber Planning Office [JCPO].—The Committee recommendation includes an increase of \$10,000,000 for JCPO, as requested. The Committee notes CISA intends for the JCPO to serve as a comprehensive cyber risk analysis function for Federal and non-Federal partners and encourages CISA to include such partners in the development of the JCPO to avoid hard lessons learned on previous efforts for which joint efforts were not well participated in by other Federal agencies.

Joint Cyber Defense Collaborative.—In furtherance of Subtitle A of Title XXII of the Homeland Security Act of 2002 (Public Law 107–296) as amended by section 1715 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law No 116–283), the Committee recommendation includes an increase of \$16,153,000 above the request amount for funds appropriated for Operational Planning and Coordination. These funds will be used for the hiring of personnel, reimbursement of detailees from other Federal agencies, and such equipment as is necessary for planning and operational activities within CISA’s Joint Cyber Defense Collaborative. Within 90 days of the date of enactment of this act, and quarterly thereafter, CISA shall brief the Committee on an obligations and expenditure plan for fiscal year 2022, as well as anticipated programmatic milestones, including hiring goals and results.

Ransomware.—A spate of recent cyberattacks, including the ransomware attack on Colonial Pipeline, demonstrate the weaknesses in the Nation’s current cybersecurity regime. Within 180 days of the date of enactment of this act, CISA shall brief the Committee on the factors that left the United States vulnerable to a ransomware attack on critical infrastructure and CISA’s efforts to raise awareness of the threat of ransomware and activities to reduce the impact of ransomware attacks.

Federal Network Resilience.—The Committee provides \$65,000,000 above the request for attack surface management and national vulnerability incident response. CISA remains heavily dependent on limited capabilities and manual self-reporting for situational awareness of Internet-facing attack surfaces related to non-Federal networks. While this limitation applies in some circumstances to CISA’s role to protect Federal civilian executive branch networks, it is most pronounced in relation to CISA’s role in coordinating resources or incident response activities in support of States and localities, as well as critical infrastructure providers. Insufficient technologies and manual self-reporting create a fractured and inaccurate snapshot of vulnerabilities in the civilian cybersecurity ecosystem. CISA needs to continue to build its capacity for a strategic national snapshot in order to prioritize response to impacted entities’ Internet infrastructure when new critical national vulnerabilities are identified. Therefore, not later than 90 days after the date of enactment of this act, CISA shall brief the Committee on its existing attack surface management capabilities and its plan to enhance the visibility of department and agency network activity and vulnerabilities with state-of-the-art technologies, including assessments of both government-developed technologies and commercially-available solutions.

Quality Service Management Office [QSMO].—The Committee seeks to ensure that the Department, in establishing a Shared Cyber Security Marketplace, analyzes the risks posed to Federal cyber security networks, particularly following the SolarWinds attack. Therefore, the Committee directs CISA to brief the Committee within 120 days of the date of enactment of this act on how the current QSMO marketplace services, including the Protective DNS Service, the CISA Vulnerability Disclosure Platform service, Security Operations Centers as a Service, as well as the services in development such as the mobile security services, address the most critical risks to the FCEB networks. The CISA Cybersecurity QSMO holistically manages cybersecurity shared services for the FCEB as directed by Congress, including critical new services in direct response to the SolarWinds attack. CISA is further directed to explore leveraging these CISA cybersecurity shared services to expand the monitoring for exfiltration of FCEB networks to known command and control nodes and to report on postures and exposures on an ongoing basis. CISA shall also propose options to enable advanced, contextual tipping and queuing under CISA services as well as deliver enriched Automated Indicator Sharing [AIS] data for Federal, State, and commercial partners.

Mitigating Malicious Bot Attacks.—A bot, short for robot, is a computer program that automates interactions with web applications over the Internet. Bots can be used for beneficial purposes

such as indexing sites for search engines. Malicious bots, however, can power a wide range of criminal cyber activity. Attackers have utilized bots to conduct powerful distributed denial of service [DDoS] attacks against both the private and public sectors. Increasingly, attackers are utilizing bots to deliver ransomware to victims with vulnerable infrastructure at scale, with a vast majority of bot attacks originating from outside the U.S. The Committee is concerned with attackers' use of bots to defraud government websites that deliver critical services to U.S. citizens. These attacks include fraudulently collecting unemployment benefits utilizing stolen credentials as well as pilfering appointments for services, to include COVID-19 vaccine appointments, in order to monetize them on illicit secondary markets. Within 120 days of the date of enactment of this act, CISA shall brief the Committee on ransomware attacks at the Federal level, with a focus on those that may utilize bots. The brief shall propose guidance-aligned options and estimated resources required to better secure Federal systems and websites to prevent such attacks and help potential victims, including SLTT governments.

INFRASTRUCTURE SECURITY

Joint Cyber Planning Office.—Of the total provided for CISA Exercises, \$2,244,000 above the request is to implement section 1715 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283). Funding shall be utilized to support JCPO exercises for cyber defense.

National Cyber Exercises.—In furtherance of section 1744 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), the Committee provides \$3,367,000 above the request for the planning and execution of national cyber exercises. These exercises shall involve the executive branch, State governments, the private sector, and international partners, and shall include Congress as observers.

Office for Bombing Prevention [OBP].—The recommendation includes \$39,600,000 for OBP, including \$5,000,000 above the request to continue the Train the Trainer and Countering-Improvised Explosive Device [IED] programs. The Committee is encouraged with OBP's efforts to address the proliferation and use of IEDs. OBP activities include critical Counter-IED training, information sharing, capability analysis, technical assistance, and coordination initiatives for SLTT and private sector partners. These efforts are significantly enhancing critical infrastructure security and DHS is encouraged to continue prioritizing these essential services.

Public Gathering Security.—The Committee recognizes the evolving nature of terrorist threats and commends the Department's previous prioritization of soft targets and crowded places, which are at particular risk for terrorist attacks and targeted violence. Therefore, the Committee provides \$8,000,000 above the request to continue CISA's efforts to improve public gathering security by building the security capacity at public gathering locations.

Sector Risk Management Agencies.—The Committee recognizes CISA is the Sector Risk Management Agency for the Chemical; Commercial Facilities; Communications; Critical Manufacturing; Dams; Emergency Services; Information Technology; and Nuclear

Reactors, Materials, and Waste sectors. Accordingly, the Committee provides \$6,500,000 above the request for activities carried out in furtherance of the authorities and added requirements established by section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) for the management of these eight sectors. Additional increases for this initiative are funded under the Risk Management Operations and Stakeholder Engagement and Requirements PPAs. To better support coordination of Sector Risk Management Agencies across the Federal Government, the Committee urges CISA to consider personnel increases to support cultivation of sector-specific expertise within the agency, including and extending beyond the eight sectors for which CISA serves as the Sector Risk Management Agency. These increases may include temporary hires and advisory positions, additional full-time employees, and reimbursement for personnel on detail from other departments and agencies, where authorized.

EMERGENCY COMMUNICATIONS

First Responder Emergency Medical Communications.—The Committee recognizes the need for reliable communications capabilities during emergencies that leave normal communications networks inoperable or overwhelmed. The Committee includes \$4,000,000 above the request for CISA to administer and expand merit-based demonstration projects for the benefit of SLTT governments and technical assistance offerings that aid in the implementation of the National Emergency Communications Plan through innovative approaches to interoperable emergency medical communications in rural areas to enhance public safety communications.

Technical Assistance to SLTT Emergency Communications Partners.—Rapid advances in communications technology and capability, and the convergence of information sharing via video, data, and voice, require better management of interoperable emergency communications. The recommendation includes an increase of \$5,000,000 above the request for technical assistance to SLTT emergency communications partners. The Committee notes that CISA’s current funding can support an average of approximately five technical assistance requests per State per year, despite a need of up to seven with growing demand in requests for assistance in planning around emergency communications systems and networks to include cyber security vulnerabilities, ransomware threats, next generation 9-1-1, and integration and advanced communications.

National Emergency Communications Plan.—The recommendation includes \$2,000,000 above the request to complete an update of the National Emergency Communications Plan to incorporate evolving technologies and update threat prevention methods. Within 90 days of the date of enactment of this act, CISA shall provide an estimated timeline for the completion of the update to the Committee.

Next Generation Networks-Priority Service [NGN-PS].—The Committee provides \$4,600,000 above the budget request amount to accelerate the development and deployment of NGN-PS Phase 2 technologies and services.

Resilient Next Generation 911 [NG911] Ecosystem.—The Committee provides \$30,000,000 above the request to design initiatives to deliver a resilient 911 Ecosystem in discrete and usable segments. The first proofs-of-concept should ensure small-scale NG911 systems align with NIST cybersecurity standards while preserving the ability to work with all forms of data, video, and information services. CISA shall work with the Federal Communications Commission [FCC], the National Highway Traffic Safety Administration [NHTSA], and the National Telecommunications Information Administration [NTIA] to lay the groundwork for an incremental program that will be guided by recommendations from the National 911 Program NG911 Roadmap. Additional funding for this initiative is provided under CISA's Procurement, Construction, and Improvements [PC&I] account.

INTEGRATED OPERATIONS

Security Advisors.—The Committee recommends \$16,775,000 above the request amount to increase the number of CISA security advisors [CSAs] and supporting staff in the 10 CISA regions and within the Federal Bureau of Investigation's Field Office Cyber Task Forces. These advisors and the staff directly supporting CSA services and functions will be in addition to the State cybersecurity coordinators established in furtherance of section 1717 of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), in order to supplement regional capability.

RISK MANAGEMENT OPERATIONS

National Infrastructure Simulation and Analysis Center [NISAC].—Of the total amount recommended, not less than \$33,293,000 is for the NISAC, which is \$5,000,000 above the request. NISAC plays an important role in the Department's understanding of the potential impact and cascading effects of infrastructure failures and disruptions. The Committee recognizes the important mission of NISAC and encourages CISA to ensure that the NISAC remains mission-focused with a vision toward the future and an ability to articulate return on investment.

Continuity of the Economy.—The Committee recommends \$200,000 above the request for the development of a Continuity of the Economy Plan, as required by section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

National Critical Functions [NCF] Analytic Capability.—The Committee provides an increase of \$12,000,000 above the request to develop a long-term analytic capability that can evaluate evolving strategic risks to NCF from the compromise of critical infrastructure over a 5- to 25-year timespan. Of this, \$2,000,000 is to leverage the expertise of the Idaho National Lab [INL] to build upon prior investments in models and develop long-term analytic capability that can evaluate evolving strategic risks to NCFs. The National Risk Management Center is directed to brief the Committee not later than 120 days after the date of enactment of this act on a plan of action and milestones for the increased investment in this capability, including a budget and hiring plan.

Sector Risk Management Agencies.—The Committee provides \$22,000,000 above the request for activities carried out in furtherance of the authorities and added requirements established by section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) for the management of these eight sectors. See Sector Risk Management Agencies under Integrated Operations for additional Congressional direction.

STAKEHOLDER ENGAGEMENT AND REQUIREMENTS

Sector Risk Management Agencies.—The Committee provides \$10,500,000 above the request for activities carried out in furtherance of the authorities and added requirements established by section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) for the management of these eight sectors. See Sector Risk Management Agencies under Integrated Operations for additional congressional direction.

Cyber Safety Review Board.—The Committee recommends \$2,893,000 above the request to support the implementation of section 5 of the Executive Order on Improving the Nation’s Cybersecurity, to establish, administer, and convene the Cyber Safety Review Board.

Cybersecurity Advisory Committee.—The Committee recommends \$1,450,000 above the request to establish the CISA Cybersecurity Advisory Committee, as required by section 1718 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SLTT Cyber Grants Management.—The Committee includes an increase of \$4,000,000, as requested, for CISA to provide subject matter expertise on cyber and infrastructure security matters as FEMA implements SLTT preparedness grant programs, such as the State Homeland Security Grant Program and Urban Area Security Initiative. CISA is directed to continue supporting FEMA by providing guidance to SLTT entities to define and manage cyber risk. Further, CISA and FEMA are directed to jointly review the bi-yearly Nationwide Cybersecurity Review and brief the Committee within 180 days of the date of enactment of this act on how such review can be more actively used among the components.

State Courts Electronic Data.—The Committee is concerned with potential cyber-attacks on State court electronic data systems. More than 96 percent of the annual caseload of the United States is handled by State courts. State and Federal agencies, including all law enforcement communities, rely on the determinations reflected in these State court data systems. It is important to ensure the integrity and reliability of the approximately three billion records held by State courts in their systems and often shared with other justice system agencies. The Committee encourages CISA to partner with MS-ISAC to expand outreach to the State courts through national level associations to drive participation and understanding of services available to prevent, protect against, and response to cyber-attacks on State court electronic data systems.

MISSION SUPPORT

The Committee recommends \$850,000 above the request for Management and Business Activities for security clearances and trusted workforce implementation as required by sections 9401, 9402, and 9403 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law No 116–283).

The Committee provides \$7,500,000 above the request for Strategy, Policy, and Plans to develop a long-term strategic plan by component. The plan should be developed annually in coordination with a federally Funded Research and Development Center [FFRDC] or other partnership, and should include a comprehensive view of the overall CISA mission, how individual offices within CISA contribute to that mission, and a vision for how CISA can improve upon its current posture to execute its mission, including staffing requirements and a comprehensive 5-year hiring plan. Within 90 days of the date of enactment of this act, CISA shall provide the Committee a briefing outlining the projected milestones and timeline for developing the plan.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$353,479,000
Budget estimate, 2022	418,179,000
Committee recommendation	530,562,000

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$530,562,000 for Procurement, Construction, and Improvements [PC&I], which is \$112,383,000 above the budget request amount and \$177,083,000 above the fiscal year 2021 enacted level.

CYBERSECURITY

Continuous Diagnostics and Mitigation [CDM].—The Committee recommendation includes \$36,383,000 above the request for enterprise mobility management investments to continue development and deployment of management and security tools to address the mobile device landscape across the Federal Civilian Executive Branch agencies.

National Cybersecurity Protection System.—Of the total amount provided, \$1,000,000 above the request to enhance the protection of Federal networks and expand CISA’s ability to coordinate and execute defense against nation-state threats and critical vulnerabilities.

EMERGENCY COMMUNICATIONS

NGN-PS.—The Committee provides \$43,000,000 above the request to accelerate the development and deployment of NGN-PS Phase 2 technologies in order to better align such deployments with the timing of commercial carriers’ upgrades to networks and services. Within 180 days of the date of enactment of this act, CISA shall brief the Committee on the projected milestones and timeframe for the development and deployment of these funded technologies.

Resilient NG911 Ecosystem.—The Committee provides \$32,000,000 above the request to design initiatives to deliver a resilient NG911 Ecosystem in discrete and usable segments. The first proofs-of-concept should ensure small-scale NG911 systems align with NIST cybersecurity standards while preserving the ability to work with all forms of data, video, and information services. CISA shall work with the Federal Communications Commission [FCC], the National Highway Traffic Safety Administration [NHTSA], and the National Telecommunications Information Administration [NTIA] to lay the groundwork for an incremental program that will be guided by recommendations from the National 911 Program NG911 Roadmap. Additional funding for this initiative is provided under CISA’s O&S account.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$9,431,000
Budget estimate, 2022	3,931,000
Committee recommendation	9,931,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$9,931,000 for Research and Development [R&D], which is \$6,000,000 above the budget request amount and \$500,000 above the fiscal year 2021 enacted level.

INFRASTRUCTURE SECURITY

National Critical Functions.—The Committee includes \$3,000,000 above the request to leverage the expertise of the Idaho National Lab [INL] to build upon prior investments in models and develop long-term analytic capability that can evaluate evolving strategic risks to National Critical Functions.

Public Gathering Security.—The Committee understands the valuable role that Army research partners play in advancing developing technologies for public gathering security applications. The Committee therefore provides \$3,000,000 above the request to collaborate with the Army’s Engineer Research Development Center and other identified national labs and universities to demonstrate and integrate protective technologies to address identified technological needs and requirements for public gathering security.

CYBERSECURITY RESPONSE AND RECOVERY FUND

Appropriations, 2021 .....	.....
Budget estimate, 2022	\$20,000,000
Committee recommendation	20,000,000

COMMITTEE RECOMMENDATIONS

The Committee provides \$20,000,000 for the Cybersecurity Response and Recovery Fund [CRRF] as requested. Recognizing the request is made during a time of several recent large cyber incidents for which costs are still being determined, the Committee notes the desire to prepare for unanticipated costs for which timely obligation could impact the success of a response. At the same time, the Committee is concerned that CISA has not clearly defined the terms and conditions under which it is reasonable and prudent for the Federal Government to incur such costs. While providing for

national safety and defense can be a uniquely Federal responsibility, the responsibility to take the necessary preparedness and prevention steps against cyber threats rests with all entities. These steps do not avoid the more severe post-incident costs, but truly make us safer and are areas in which investment should be made without delay. There is currently no comprehensive transparency into the prevention measures SLTT and the private sector are taking, creating a void of information and an inherent unfairness to distributing funding post-incident. This void of information includes whether it would be beneficial for private sector reimbursements or requiring private sector entities to participate in cost-sharing activities as FEMA's disaster response model currently requires of SLTT governments. The Committee is concerned that this slantitudinal account structure could foster private sector disincentives towards cyber pre-mitigation that potentially rewards for-profit, private sector entities above struggling SLTT governments. CISA has not provided the Committee any information regarding how it is able to quantitatively identify a private sector company's ability to repay such Federal CRRF assistance, or CISA's ability to determine equitable treatment for all recipients balanced with entities that may also have post-incident resources available through cyber-insurance. CISA has also not provided the Committee with a CRRF staffing plan similar to that which exists for FEMA's robust and expertly trained disaster response staff who manage evolving disaster-related data analytics each year, even while CISA has historically struggled to recruit, hire, and onboard personnel at higher-than-requested funding levels for the past several years. Therefore, the Committee directs CISA to provide a strategic plan for the CRRF within 180 days of the date of enactment of this act. The plan shall include: how CISA will determine—using clear metrics—when CRRF support will be provided, and if such support will be direct, indirect, or reimbursable; what steps potential recipients of CRRF support are required to take for known prevention measures; and what incentives will be provided to encourage potential recipients to take such steps. Further, the plan shall include a projection of future years' costs and a detailed description of why the costs shall be categorized as either 050 defense spending or emergency spending.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The primary mission of the Federal Emergency Management Agency [FEMA] is to reduce the loss of life and property and to protect the United States from all hazards, including natural disasters, acts of terror, and other manmade disasters, through a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$24,126,273,000 for FEMA, which is \$133,201,000 below the budget request amount and \$2,215,702,000 above the fiscal year 2021 enacted level. The following table summarizes the Committee's recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

[in thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	1,129,282	1,232,162	1,391,121
Procurement, Construction, and Improvements	105,985	188,212	191,212
Federal Assistance	3,294,892	3,302,470	3,496,604
Disaster Relief Fund (regular):			
Disaster Relief Climate		500,000	
Disaster Relief Category	17,142,000	18,799,000	18,799,000
National Flood Insurance Fund	204,412	204,000	214,706
Radiological Emergency Preparedness Program	34,000	33,630	33,630
Total, Federal Emergency Management Agency	21,910,571	24,259,474	24,126,273
Offsetting Fee Collections	−238,412	−237,630	−248,336

OPERATIONS AND SUPPORT

Appropriations, 2021	\$1,129,282,000
Budget estimate, 2022	1,232,162,000
Committee recommendation	1,391,121,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,391,121,000 for Operations and Support [O&S], which is \$158,959,000 above the budget request amount and \$261,839,000 above the fiscal year 2021 enacted level.

Briefing Requirement.—The Committee is disappointed the Administrator of FEMA, jointly with the Director of CISA, have not yet provided the briefing requirement included in Senate Report 116–125, regarding implementation of CISA’s National Critical Functions and FEMA’s Community Lifelines. The Committee reminds DHS of the importance of timely reporting and requests the prompt delivery of this overdue briefing requirement.

Equal Treatment.—The Committee commends FEMA’s conscientious effort to serve all communities in responding to disasters and otherwise executing its diverse mission, including its ongoing efforts to review existing policies to make sure they are not posing unjustified burdens on survivors, while still ensuring proper controls against fraud and abuse remain in place. The Committee will monitor FEMA’s expansion of this mission in furtherance of the requirements put forward in Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As such, not later than 60 days after the date of enactment of this act FEMA shall brief the Committee on the implementation of its efforts in support of Executive Order 13985, and the measurable outcomes related to such implementation.

REGIONAL OPERATIONS

Defense Production Act [DPA].—In its Pandemic Response to Coronavirus Disease 2019 [COVID–19]: Initial Assessment Report, FEMA identified shortcomings in its supply chain management efforts and capacity, including uncoordinated and overlapping Federal engagement with private sector partners, a lack of supply chain monitoring capacity, and no transparency about allocation decisionmaking. To address this gap, the recommendation includes

\$6,438,000 above the request for disaster supply chain preparedness. Through this effort FEMA shall leverage DPA responsibilities as a preparedness tool. Specifically, regional private sector liaisons and logistics planners in each FEMA region will build capacity at the regional level, creating a national ability, to better understand and plan for disaster supply chain impacts; incorporate DPA authorities into planning and exercise cycles; and pursue voluntary agreements for catastrophic disaster planning for regional-specific events, and subsequent plans of action on either the State or event level to maximize planning.

MITIGATION

Of the total amount recommended for Mitigation, not less than \$8,517,000 is for the National Earthquake Hazards Reduction Program. Additionally, within the total, not less than \$9,657,000 is for the National Dam Safety Program, which provides assistance to States to prevent dam failures and improve their dam safety programs through training and implementation of best practices. The Committee urges FEMA, through the National Dam Safety program, to work with dam owners to identify the resources available for making critical improvements to the dams to prevent loss of life and property.

Building Resilient Infrastructure and Communities [BRIC].—The Committee continues its interest in the implementation of BRIC program and the need for mitigation and resiliency for a disaster-ready Nation. Accordingly, within 60 days of the date of enactment of this act and quarterly thereafter, FEMA shall brief the Committee on the status of BRIC implementation, including projected funding levels. Recognizing the importance of stakeholder input, the briefing shall include a description of how stakeholder views are incorporated, including the needs of local governments.

Urban Flooding.—The Committee encourages FEMA to explore opportunities to improve coordination across agencies that have a role in managing small or large urban floods. This should include both vertical coordination (i.e. Federal, State, and local government entities) and horizontal coordination (i.e. local agencies responsible for storm water systems, flood control, and removal of damaged property; and Federal agencies responsible for severe storm warnings, evacuation, and community redevelopment and flood mitigation in urban areas). The Committee urges FEMA to employ geospatial indicators, such as the Social Vulnerability Index, to quantify and map social vulnerability using census demographic data to allow for more efficient allocation of resources for flood disaster mitigation and recovery. The Committee further urges FEMA to continue its work on the previously enacted \$1,200,000 for a pilot program included in Public Law 116–93. Within 12 months of the completion of the pilot program, FEMA shall submit a report to the Committee describing the activities carried out by the pilot and recommendations to Congress for implementing strategies, practices, and technologies to mitigate the effects of urban flooding. Finally, the Committee anticipates the report on the results from the pilot program related to urban flooding mapping without delay as required in Senate Report 116–125.

PREPAREDNESS AND PROTECTION

The Committee is concerned with the inordinate burden that multiple and duplicate applications for Federal individual assistance can place on disaster victims, in particular low- and moderate-income families. Within 180 days of the date of enactment of this act, the Committee requests that FEMA and HUD provide a joint briefing on: (1) actions the agencies are taking to improve data sharing and integration; (2) how such efforts are staffed, coordinated and monitored across the agencies to ensure continual progress; (3) how such efforts can reduce redundant and burdensome data collection from survivors; (4) known challenges and barriers to advancing data sharing; (5) safeguards to protect survivor privacy; and (6) key lessons learned from prior efforts.

Rebuilding and Repair Standards for Disaster Assistance.—The Committee recognizes the high cost of the rebuilding and repair of infrastructure following natural disasters. Further, the Committee understands that both the cost and the frequency of such events is increasing. As such, the Committee suggests that for applicable rebuilding and repair projects for certain infrastructure, such as electric grids, pipeline, water and wastewater, and transportation systems, FEMA should ensure that all replacement and repair projects are resilient and cost-effective under applicable national and local consensus codes and standards.

RESPONSE AND RECOVERY

Emergency Management Assistance Compact [EMAC].—Of the total amount provided, \$2,000,000 shall be for carrying out EMAC.

Public Assistance Eligibility.—The Committee looks forward to the results of FEMA’s review of the Public Assistance eligibility determination process with regard to infrastructure located in regions with scarce local government resources to maintain records of pre-disaster infrastructure quality, and the subsequent briefing to the Committee, as directed by Senate Report 116–125.

Educational Services Following Disasters.—The COVID–19 pandemic has closed schools and businesses, forcing hundreds of millions of Americans to adapt to work from home and try to fit into a distance learning model. Further, over the past decade, over 600 major natural disasters were declared in the U.S. impacting millions of children, parents, teachers and school districts. With limited access to resources and the inability of schools to reopen following a natural disaster or to remain open during mandatory closures, most communities are left with few options to continue their children’s education as they lack access to labs, books, equipment and other materials. The process to secure disaster or emergency aid for schools can be lengthy and students fall behind especially when it comes to hands-on STEM learning, which requires specialized tools and techniques not easily replaced in a home environment. Therefore, FEMA is encouraged to work with the Department of Education to help them explore innovative ways to quickly and fully restore educational services following a major disaster, including Science, Technology, Engineering, and Math education.

Breastfeeding Support.—The Committee recognizes that breastfeeding confers meaningful clinical benefits for babies and

mothers while reducing healthcare costs and continues to urge FEMA to ensure that breastfeeding mothers impacted by disasters have access to breastfeeding services and supplies through its Critical Needs Assistance, Other Needs Assistance, and other programs. In the aftermath of a disaster, FEMA is urged to support families with young children by giving them priority consideration for immediate access to a shelter (temporary community shelter, hotel room, temporary housing, etc.) with a clean, safe, and private non-bathroom stall place available for them to express breast milk as well as sanitary drinking water, a power supply and access to a refrigerator for safe storage of food and/or expressed breastmilk. Breast pumps and related supplies should also be listed as eligible items under both Critical Needs Assistance and Other Needs Assistance programs.

Child Care.—The Committee encourages FEMA to better utilize the authority provided by section 408(e) of The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, as amended, 42 U.S.C. 5121, et seq., to award child care assistance to enhance a community’s ability to recover from a natural disaster or other devastating event.

MISSION SUPPORT

The Committee rejects the proposed realignment of funding for the Office of Faith and Neighborhood Partnerships to the DHS Office of Public Engagement.

The Committee recommends \$151,917,000 above the request for costs associated with implementation of fiscal year 2022 priorities.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$105,985,000
Budget estimate, 2022	188,212,000
Committee recommendation	191,212,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$191,212,000 for Procurement, Construction, and Improvements [PC&I], \$3,000,000 above the budget request amount, and \$85,227,000 above the fiscal year 2021 enacted level.

National Warning System [NAWAS].—The Committee supports efforts by the Department of Homeland Security to modernize NAWAS. Modernization is a key component to maintaining the future relevance of the NAWAS, which can be efficiently modernized to include other modalities using commercial off-the-shelf Federal Risk and Authorization Management-authorized solutions. The Committee recommends \$3,000,000 above the request for NAWAS modernization, which is critical to reducing the impact and cost of natural and manmade disasters.

FEDERAL ASSISTANCE

Appropriations, 2021	\$3,294,892,000
Budget estimate, 2022	3,302,470,000
Committee recommendation	3,496,604,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$3,496,604,000 for Federal Assistance, not including the targeted violence and terrorism prevention transfer from the Office of the Secretary and Executive Management. The recommendation is \$194,134,000 above the budget request amount and \$201,712,000 above the fiscal year 2021 enacted level. When awarding grants, the Administrator shall consider the needs of cybersecurity preparedness and planning, State court cybersecurity, 911 call capability, alert and warning capabilities, implementation of the REAL ID Act (Public Law 109–13), and countering targeted violence and terrorism prevention programs.

Urban Area Security Initiative [UASI] Risk Assessment.—The Implementing Recommendations of the 9/11 Act (Public Law 110–53) requires FEMA to conduct a risk assessment of the 100 most populous metropolitan areas in the United States on an annual basis. All such areas are eligible for UASI funding based on threat, vulnerability, and consequence. FEMA shall therefore justify all funding decisions on the basis of risk.

Nature-based Infrastructure.—The Committee is aware that rehabilitation or establishment of natural infrastructure, including but not limited to marshes, wetlands, mangroves and dunes, is capable of improving resiliency, reducing damage from flooding and coastal storm surge and can provide effective floodplain management. Such natural infrastructure can also have long-term beneficial impacts on topography and soils, water quality, wetlands, floodplains, coastal resources, aquatic resources, environmental justice, and public health and safety in coastal areas. The Committee urges FEMA to encourage States and localities that have been impacted by coastal flooding or storm surge caused by federally-declared disasters to consider utilizing Hazard Mitigation Grant Program funds for natural infrastructure projects that will mitigate future damage.

The Committee further recommends that FEMA utilize public/private partnerships, pursuant to 16 U.S.C. 3701 and 16 U.S.C. 3709, to enhance and leverage nature-based infrastructure within the BRIC and pre-disaster mitigation programs through one or more pilot projects that will provide additional expedited and streamlined opportunities for communities, including disadvantaged communities, to utilize pre-disaster mitigation funding for enhancing nature-based strategies that provide resilience and protection against natural threats including but not limited to coastal and inland flooding, wildland fires, and drought.

Regional Catastrophic Preparedness Grant Program.—The Committee recognizes that natural and man-made catastrophes continue to pose significant risks at the regional level. FEMA's Regional Catastrophic Preparedness Grant Program provides a unique and valuable means of promoting a more cohesive approach to catastrophic planning among a region's relevant State, local, non-profit, and private sector actors. Subsequently, the Committee recommends \$12,000,000 for the Regional Catastrophic Preparedness Grant Program. Furthermore, FEMA is directed to: prioritize funding for efforts which formalize new or sustain existing working groups for continued effective coordination; ensure synchronization

of plans and shared best practices; implement citizen and community preparedness campaigns; and pre-position needed commodities and equipment. FEMA is further directed to take into account the needs of both the area at risk of natural and man-made catastrophes and affected communities.

Emergency Management Performance Grants [EMPG].—The Committee recognizes the important role EMPG plays in the implementation of the National Preparedness System by supporting the development, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Subsequently, the Committee recommends \$355,000,000 for the EMPG Program. Without this funding, local jurisdictions' emergency management core capabilities and staffing will degrade nationwide.

Flood Mapping.—The Committee recommends \$275,500,000, as requested, for ongoing flood mapping efforts. FEMA is directed to brief the Committee within 60 days of the date of enactment of this act on its flood mapping plan for fiscal year 2022.

Implementing Technical Mapping Advisory Council Recommendations.—The Committee urges FEMA to implement the final recommendations and goals of the Technical Mapping Advisory Council's Annual Reports, including transitioning to current and future condition risk scores, structure-specific flood risk analysis, incorporating high-resolution topographic data into flood risk maps, and better communicating current and future direct and residual flood risk to property owners. FEMA should coordinate with State agencies and other experts that have developed mapping expertise and models that can be useful in FEMA's efforts to consider future conditions, such as sea level rise and coastal erosion. To better support a risk-informed National Flood Insurance Program, a graduated risk analysis approach should be implemented to more comprehensively understand flood risk and how it may change due to future conditions.

Rehabilitation of High Hazard Potential Dams.—The Committee recommends \$12,000,000 for this authorized program enacted in the Water Infrastructure Improvements for the Nation Act of 2016 (Public Law 114–322).

Emergency Food and Shelter Program.—FEMA should continue to work cooperatively on reimbursements with non-governmental organizations and State and local governments impacted by the increase of noncitizens and asylum seekers at the southwest border.

Hazard Mitigation Revolving Loan Funds.—The Committee recommends \$100,000,000 above the request for carrying out the establishment of revolving loan funds under section 205 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5135). Established by the Safeguarding Tomorrow through Ongoing Risk Mitigation Act [STORM] Act (Public Law 116–284), section 205 authorizes FEMA to enter into agreements with State and Tribal governments to make capitalization grants for the establishment of hazard mitigation revolving loan funds. This funding will help local governments execute projects to reduce disaster risks for homeowners, businesses, non-profits, and communities to decrease the loss of life and property, the cost of insurance claims, and Federal disaster payments.

Emergency Management Institute.—The recommendation includes \$22,030,000 for the Emergency Management Institute, as requested.

United States Fire Administration [USFA].—The recommendation includes \$53,212,000, as requested, for USFA to fulfill its mission of providing training and professional development to the fire community. FEMA is directed to continue its traditional funding for the congressionally-mandated National Fallen Firefighters Memorial.

The Committee is concerned about the rates of depression, post-traumatic stress disorders, and suicide among firefighters. In the fiscal year 2021 Joint Explanatory Statement, the Committee directed USFA to provide a status report on its efforts to collect data on firefighter suicide. USFA has yet to provide that report. The Committee directs USFA to submit the status report within 30 days of the date of enactment of this act.

Reducing Carcinogen Exposure Among Firefighters.—The Committee is concerned about the prevalence of cancer among firefighters, who have a 14 percent higher risk of dying from the disease than the public due to exposure to carcinogens and other hazardous chemicals and environments. The Committee urges FEMA to collaborate with fire departments to find cost-effective procedures to reduce chemical exposure.

National Domestic Preparedness Consortium [NDPC].—The recommendation includes \$101,000,000, as requested, for NDPC. The Committee requests that NDPC provide a briefing on a strategy to address the substantial backlog in demand for emergency response training caused by COVID–19 cancellations within 180 days of the date of enactment of this act. The Committee further notes that, with the emergence of the COVID–19 pandemic, its global impact, the role of global health security, policy, and governance will be a primary factor in reducing vulnerabilities to high consequence biological events. Intelligence, law enforcement, State and municipal governments, healthcare providers and emergency management agencies need to be trained in how to appropriately interact with public health officials and effectively respond given the policy, governance, and legal environments in which they are acting, while understanding and incorporating the best available scientific data and analysis into their decisionmaking. The Committee is concerned with the current level of training provided to support such informed response and encourages FEMA and NDPC to continue partnering with organizations specializing in training and expertise in health security, governance, law, pandemic preparedness and policy translation to complement the suite of existing expertise currently offered through the consortium.

Continuing Training Grants.—The recommendation includes \$12,000,000 for continuing training grants, as requested. Of the total amount provided, \$2,000,000 is for FEMA to partner with the Federal Aviation Administration Unmanned Aircraft Systems [UAS] Center of Excellence, which has expertise in disaster response, to conduct a regional training program for SLTT responders in using UAS for disaster preparedness and response.

National Cybersecurity Preparedness Consortium.—Improvement in cybersecurity preparedness among State, Local, Territorial, and

Tribal [SLTT] governments and non-governmental partners with the public sector requires a sustained, multi-year effort. The Committee provides \$4,000,000 under Continuing Training Grants for the National Cybersecurity Preparedness Consortium, which was created to utilize the subject-matter expertise of universities to develop such relationships. The Consortium shall provide to the Committee by the end of fiscal year 2022, a comprehensive report detailing recommendations for establishing multi-year curricula to improve cybersecurity preparedness among SLTT governments that utilize the Consortium’s services.

National Exercise Program.—The recommendation includes \$19,820,000 for the National Exercise Program, as requested.

Grants Evaluations.—Section 313 of the bill includes funding transfer authority for FEMA to conduct independently verified and validated evaluations on the effectiveness of grants awarded under the State Homeland Security Grant Program and Urban Area Security Initiative. FEMA is directed to provide updates on the status of the evaluations to the Committee within 60 days of the date of enactment of this act, and every 60 days thereafter, until such evaluations are completed. Within 30 days of the completion of such evaluations, and not later than 270 days after the date of enactment of this act, FEMA shall provide a final report on the results of the evaluations to the Committee.

Training of First Responders and Emergency Management Personnel.—The Committee recognizes the important role FEMA plays in providing practical training and educational opportunities to SLTT emergency management personnel. The Committee applauds FEMA’s ability to adapt to the challenges posed by COVID–19 and to continue to provide both classroom-based and in-person training. The Committee encourages FEMA to continue to evolve and innovate to meet the needs of first responders and emergency management personnel, including adopting best practices and lessons learned from the COVID–19 pandemic. FEMA is also encouraged to ensure that trainers and teachers at FEMA training centers like the Center for Domestic Preparedness and the Emergency Management Institute continue to utilize the latest and most modern teaching techniques.

Congressionally Directed Spending.—See “Disclosure of Congressionally Directed Spending Items” and the associated table at the end of this Explanatory Statement.

DISASTER RELIEF FUND

Appropriations (regular), 2021	\$17,142,000,000
Budget estimate, 2022	19,299,000,000
Committee recommendation	18,799,000,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$18,799,000,000 for the Disaster Relief Fund [DRF]. In lieu of providing new funding proposed under this heading for climate mitigation grants, the Committee recommends funding that activity through a repurposing of funds in section 310 of the bill.

Disaster Declaration Process.—The Committee is concerned that States with larger, more populous, urban centers may be disadvan-

taged in the FEMA disaster declaration process. Since FEMA considers the estimated cost of a disaster in relation to the population of the State when determining whether to declare a Federal disaster, communities in need may be denied a declaration due solely or in part to a high population. FEMA is directed to consult with States, including those with large populations, on the policy of considering the estimated cost of a disaster in relation to the population of the State when determining whether to declare a Federal disaster. This consultation should include factors such as the local assessable tax base and the local sales tax, the median income as it compares to that of the State, the poverty rate of the local affected area as it compares to that of the State, and the economy of the State, including factors such as the unemployment rate of the State, as compared to the unemployment rate of the United States. Within 270 days of the date of enactment of this act, FEMA shall provide a briefing to the Committee on the results of the consultation.

Improving access to BRIC.—Within 90 days of the date of enactment of this act, FEMA shall brief the Committee on the abilities of States to qualify for access to BRIC. The brief should include, but not be limited to, an analysis of the ability of States to meet the program’s building code requirements, States’ options outside of this program to assist communities with needed pre-disaster mitigation, and other challenges in addressing pre-disaster mitigation.

Natural Infrastructure Activities.—Within 180 days of the selection of fiscal year 2020 BRIC projects, FEMA shall provide the Committee with a report on the number, dollar amount, and percentage of BRIC applications received to fund natural infrastructure projects. The report shall be disaggregated by the applications that were awarded funding and those that were not, and describe the types of natural infrastructure activities funded.

Building Resilient Infrastructure and Communities.—The Capability and Capacity Building activity shall be funded at no less than \$1,500,000 per State in fiscal year 2022.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2021	\$204,412,000
Budget estimate, 2022	204,000,000
Committee recommendation	214,706,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$214,706,000 for National Flood Insurance Fund [NFIF] activities related to flood plain management, flood mapping and mitigation, and flood insurance operations.

The Committee notes the importance of the long-term financial stability of the NFIF and recognizes FEMA’s efforts to publish a quarterly “Watermark” report on the NFIF’s finances. The Committee encourages FEMA to continue its commitment to quarterly reporting on the NFIF in a public and transparent manner while complying with other reporting requirements in statute.

TITLE III—ADMINISTRATIVE PROVISIONS

Section 301. The Committee continues a provision allowing for the use of “CISA—Operations and Support” funding to be used for certain competition-related costs.

Section 302. The Committee includes a provision requiring CISA to provide a list of unfunded priorities with the submission of the President’s Budget.

Section 303. The Committee includes a provision requiring the provision of monthly reports on the status of funds made available under “CISA—Cyber Response and Recovery Fund.”

Section 304. The Committee continues a provision limiting expenses for the administration of grants.

Section 305. The Committee continues a provision specifying timeframes for grant applications and awards.

Section 306. The Committee continues a provision requiring five day advance notification for certain grant awards under “FEMA—Federal Assistance”.

Section 307. The Committee continues a provision that addresses the availability of certain grant funds for the installation of communications towers.

Section 308. The Committee continues a provision requiring a report on the expenditures of the DRF.

Section 309. The Committee continues a provision regarding certain grants.

Section 310. The Committee includes a provision making funding available for the Building Resilient Infrastructure and Communities grant program and related OIG costs.

Section 311. The Committee continues a provision providing for the receipt and expenditure of fees collected for the Radiological Emergency Preparedness Program, as authorized by Public Law 105–276.

Section 312. The Committee continues a provision regarding certain grants.

Section 313. The Committee includes a provision to verify and validate the effectiveness of certain grants.

TITLE IV
RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

United States Citizenship and Immigration Services [USCIS] carries out activities necessary for the administration of laws and the provision of services related to people seeking to enter, reside, work, and naturalize in the United States. In addition to directly appropriated resources, fee collections are available for the operations of USCIS.

Immigration Examinations Fees.—USCIS collects fees from persons applying for immigration benefits to support the adjudication of applications, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

H-1B and L Fraud Prevention and Detection Fees.—USCIS collects fees from petitioners seeking a beneficiary’s initial grant of H-1B or L nonimmigrant classification or those petitioners seeking to change a beneficiary’s employer within those classifications pursuant to Public Law 108–447.

H-1B Nonimmigrant Petitioner Fees.—USCIS collects fees from petitioners under the H-1B program pursuant to Public Law 108–447.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$487,504,000 for USCIS, which is \$18,000,000 above the budget request amount and \$359,714,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	117,790	459,504	459,504
Federal Assistance	10,000	10,000	20,000
Total	127,790	469,504	487,504

OPERATIONS AND SUPPORT

Appropriations, 2021	\$117,790,000
Budget estimate, 2022	459,504,000
Committee recommendation	459,504,000

The Operations and Support [O&S] appropriation provides for ongoing operations, mission support, and management and admin-

istration costs for the Employment Status Verification [E-Verify] program, which allows businesses to determine the eligibility of their employees to work in the United States.

COMMITTEE RECOMMENDATIONS

Processing Times for Immigration Benefits.—The Committee is concerned that processing times for citizenship and other applications and petitions continue to increase. The Committee expects USCIS to adjudicate citizenship and other applications in a timely manner. USCIS is directed to ensure that timeliness performance measures for all forms are developed, implemented, and routinely assessed. Within 90 days of the date of enactment of this act, the Committee directs USCIS to report on measures implemented to promptly reduce processing delays.

USCIS Backlog Reporting.—USCIS shall provide the Committee a plan within 60 days of the date of enactment of this act to establish a quarterly, public report on all backlogs, frontlogs and pending forms, for all form types. Such reporting shall include, at a minimum, the number of applicants or petitioners in each USCIS backlog, frontlog, or pending status, including beneficiaries, where applicable; be identified by form type; and shall present the data to the public in such a way as to indicate length of time in such status, as defined by USCIS. Additionally, within 180 days of the date of enactment of this act, USCIS shall develop and brief the Committee on a comprehensive Backlog Elimination Plan, modeled on prior successful efforts by USCIS to eliminate their backlogs in 2004–2006, along with any associated staffing models to support such plan.

Affirmative Asylum Applications.—The Committee is concerned about the prolonged delays at USCIS processing centers across the country and directs USCIS to provide a report to the Committee within 90 days of the date of enactment of this act on the efforts and specific actions, if any, that the agency is taking to reduce the backlog of affirmative asylum applications.

Refugee Admissions.—The Committee remains concerned about the pace of refugee admissions and directs the Department to submit to the Committee and make available to the public on its website not later than 90 days after the date of enactment of this act the following information for each of fiscal years 2018 through 2021: the number of USCIS staff assigned to the Refugee Corps at the Refugee Affairs Division of USCIS; the number of refugee processing circuit rides conducted; the number of USCIS Refugee Corps officers assigned to each circuit ride; the destination region and country for each circuit ride; the number of refugee interviews conducted by USCIS; and the number of approvals and denials issued by USCIS.

Fee Study.—When USCIS undertakes its next biennial fee study, the Committee strongly urges the agency to apply advanced analytics and modeling capabilities to improve the accuracy and transparency of the way in which the agency determines potential fee changes. Additionally, USCIS shall conduct and incorporate into the fee study appropriate analyses that quantifies the impact of investments to modernize and transform business processes and IT on its operations. Further, USCIS shall assess the impact of appro-

priations for E-Verify and the resulting capabilities from that investment in the fee study. Within 60 days of the date of enactment of this act, USCIS shall provide a briefing to the Committee on the steps the agency is taking to leverage analytic capabilities to better inform workload and fee projections. The Committee notes that USCIS has requested direct appropriations to supplement its operations beginning under the prior administration. However, USCIS has traditionally been entirely funded by fees, as INA Sec. 286 authorizes that “fees for providing adjudication and naturalization services may be set at a level that will ensure recovery of the full costs of providing all such services” and that “[s]uch fees may also be set at a level that will recover any additional costs associated with the administration of the fees collected.” The INA thus reflects the principle that beneficiaries should bear the costs of USCIS’s services, not taxpayers in general. However, the Committee notes that the current authority appears to have been granted prior to USCIS’ expanding humanitarian mission and may not adequately capture administrative and congressional requirements imposed on USCIS. The Committee is aware that USCIS is currently undergoing their fee study and the Committee expects that such accompanying documentation clearly indicates programs or efforts that prevent USCIS from obtaining full cost recovery.

USCIS Workload Staffing Modeling.—USCIS shall brief the Committee within 90 days of the date of enactment of this act on a plan to develop a strategic agency-wide workload staffing model that incorporates the impact of personnel, existing assets, and capabilities on USCIS operations. The model should reflect the impact of business transformation initiatives such as IT, business process reengineering, and the streamlining of data required on forms from applicants/petitioners. While the model shall not assume that work will be performed by employees detailed from other agencies to perform core USCIS mission duties, the model shall incorporate historical attrition and hiring delays and shall not assume USCIS will be fully staffed. The model should be able to provide to USCIS data on the expected impacts that changes in USCIS assets and capabilities are expected to have on reducing backlogs and allow USCIS the ability to test how changes in business processes and policies will impact their workforce, assets, and customers.

USCIS Quarterly Budget and Productivity Reporting.—The Committee is concerned about prior increases in spending when compared to available revenue, especially in the last 5 years where poorly planned policy decisions appeared to override fiscal considerations and proper resource management. USCIS shall brief the Committee within 90 days of the date of enactment of this act, and quarterly thereafter, on budget operations, including revenue projections, actual spending, and other financial forecasts. At a minimum, the briefing shall detail the spending of each directorate and office (compared to projections), provide revenue and expenses delineated by form type, other agency expenses including payments or transfers to other Federal agencies, and carryover or reserve fund projections and spending. USCIS shall ensure the agency maintains a sufficient carryover balance which is intended to provide stability amid fluctuating receipts. Additionally, USCIS shall

develop productivity measures that convey the baseline capacity and capabilities for processing applications and petitions and capture the impact of investments in personnel, technology, or changes to processes and policies on such measures. Updates on USCIS performance against these measures shall be included with the quarterly budget reporting.

Citizenship and Integration Grant Program.—The Citizenship and Integration Grant Program makes grants available to qualified public and non-profit organizations to help lawful permanent residents apply for naturalization. The program promotes prospective citizens' integration into American civic life by funding educational programs designed to increase knowledge of English, U.S. history, and civics. The Committee supports the mission of this program and provides \$20,000,000 for these grants.

H-2B Visa Distribution.—The Committee is concerned that the current semiannual distribution of H-2B visas on April 1 and October 1 of each year unduly disadvantages certain employers and employees. The Committee directs the Department, in consultation with the Department of Labor, to examine the impacts of the current H-2B visa semiannual distribution on employers, employees, and agency operations and to provide the Committee with a briefing on the study not later than 180 days after the date of enactment of this act.

Premium Processing.—USCIS shall ensure that immigration benefit requests that do not generate revenue, or are not otherwise a substantial source of revenue, including immigration benefit requests, associated with the refugee program, asylum, Temporary Protected Status, and citizenship and naturalization services, are prioritized and adjudicated in a timely and appropriate manner. Agency adjudication of these immigration benefit requests should continue to meet all regulatory, statutory or court ordered or stipulated timeframes regardless of the potential volume of increased premium processing benefit requests.

Prevention of Abuses in the H-2A Program.—The Committee is concerned about preventing the abuse of workers during international recruitment. The Committee notes that one possible way to prevent labor trafficking and other forms of worker abuse and exploitation, is to ensure transparency of information. For instance, the more information available to a prospective guest worker, the better such worker is able to protect themselves against misrepresentations or abuse by unscrupulous actors, including the legitimacy of an offered job opportunity, the offered wage, or any other condition of employment. In order to help combat worker abuse and exploitation in the H-2A program in worker countries of origin, the Committee directs USCIS, in consultation with the Department of Labor, to timely post public information provided by employers on the Form I-129 and associated filings regarding recruiters, recruiting agents, or agencies that they plan to use. At a minimum, the information posted must identify the recruiting entity/individual, the job order/employment opportunity for which the recruitment services are being provided, and the offered wage. This information shall be available online in a manner that is easily accessible to potential workers. The Committee also directs USCIS to establish a process whereby workers may confirm that they are the bene-

ficiaries of H-2A petitions and can receive information about their own immigration status, including, their authorized period of stay and the status of any requested visa extensions. The Committee encourages USCIS to provide the information in multiple languages, including Spanish and English.

E-Verify.—The Committee recognizes that database errors have improved as the system's functionality has evolved, however, the Committee remains concerned about the E-Verify program's performance and accuracy, including the fact that some United States Citizens have been found ineligible for employment. The Committee recognizes the significant economic consequences for both the employee and employer when an individual is falsely identified as being ineligible to work, which may be the result of a system or data error. The Committee notes that when a person is falsely identified as ineligible to work and has received a final non-confirmation from the system, there is no formal appeal process, despite the potential economic harm. The Committee notes that the burden to prove eligibility and to address any data issues is entirely on the employee, and not the government. To further due process, the Committee directs USCIS to examine and report to the Committee, within 180 days of the date of enactment of this act, a proposed plan to implement an appeal process for a final non-confirmation within the E-Verify system.

Employment Authorization.—The Committee is aware that from 2017 to 2020, form I-765 expanded from two pages to seven pages. Given the importance of work authorization for employers, employees, and the economy, the Committee encourages USCIS to review form I-765 to determine whether the form can be more narrowly tailored to reduce paperwork and save on workloads, while still ensuring proper eligibility and security. The Committee directs USCIS to report to the Committee on the results of such review, which shall include an analysis on how much can be saved by more narrowly tailored, but effective forms. The Committee further directs USCIS to ensure that it meets all regulatory, statutory, and court-ordered or stipulated agreement timelines for adjudication of employment authorization. The Committee directs USCIS to produce a report, not less than annually, summarize all adjudication timelines, the source of the timeline, and whether the agency met the timeline for the prior fiscal year.

Voter Registration for New Citizens.—The Committee urges USCIS to facilitate the registration of U.S. Citizens upon completion of their oath ceremonies, including through agreements and partnerships with the appropriate State or local official or agencies, or non-profits, as appropriate. The Committee encourages USCIS to work with the appropriate State or local official or agency to electronically transfer voter information, or to pursue other avenues which might reduce paperwork and facilitate voter registration upon successfully obtaining U.S. Citizenship.

Trauma-Informed Support.—The Committee recognizes that many of the individuals interviewed for humanitarian protection have endured torture, war, loss of stability, homes, loved ones, including children, and faced other traumatic events. Employees of USCIS must often personally interview applicants for humanitarian protection and as a result, can experience forms of secondary

trauma, which occurs when individuals are exposed to first-hand accounts of trauma. The Committee encourages USCIS to assess the need for two types of training for employees who are regularly exposed to, or engage with, trauma survivors: (1) training on recognizing signs of trauma exposure, understanding common behaviors of people exposed to trauma, and trauma-informed interview techniques and principles, that are evidence-based; and (2) secondary and resilience training and employee support. Within 180 days of the date of enactment of this act, USCIS shall report to the Committee on the assessment for trauma needs as described above and identify any potential resource needs in order to implement the results of the assessment.

Fee Waivers.—The Committee was discouraged by previous efforts to impede immigration benefit requests by eliminating fee waivers, creating insurmountable paperwork barriers and unnecessary eligibility hurdles to obtain fee waivers. The Committee encourages USCIS to continue the use of fee waivers for applicants as provided for in Federal law, through regulation, or other relevant stipulations or agreements, for those applicants who demonstrate an inability to pay immigration benefit request fees, and to provide partial fee waivers to applicants as appropriate for those who can demonstrate earnings or income within various poverty guidelines. The application process should not be overly burdensome for those seeking citizenship and immigration benefit requests relating to naturalization. The Committee notes that processing times have greatly expanded over the last several years and can often take over a year to consider. The Committee strongly urges USCIS to prioritize the timely processing of naturalization benefit requests, and their related applications or forms.

U Visas.—The Committee recognizes that the annual cap for the U Nonimmigrant status may not adequately reflect the actual need of noncitizen survivors based on the total number of petitions. The Committee notes that over the years, the U Nonimmigrant status backlog has increased and potential recipients of the status have experienced protracted processing delays. The committee encourages USCIS to analyze the U Nonimmigrant status to determine whether any processing delays can be eliminated administratively and make a recommendation as to whether the U Nonimmigrant status cap should be lifted to reflect the actual need.

Trusted Employer Program.—Within 60 days of the date of enactment of this act, USCIS shall provide a report to the Committee on the operation of the pilot program from 2016 to 2020 for the Trusted Employer Program, including information regarding any cost-savings to the agency, cost-savings to petitioners, and operational and security benefits to the agency.

Electronic Processing.—The Committee supports the completion and implementation of an electronic filing and processing system for immigration benefits at USCIS. This system would strengthen the security of the immigration system, allow for greater access to the immigration system, and ensure that USCIS remains on a solid fiscal footing. Within 180 days of the date of enactment of this act, USCIS shall provide a report to the Committee on the efforts to implement an electronic filing and processing system for immigration benefits, the current technological challenges facing the agency's

completion and implementation of such a system, and the steps and timeline the agency will be using to complete an electronic filing and processing system for immigration benefits.

Asylum Processing.—The Committee remains concerned about prolonged delays at processing centers across the country. Therefore, no later than 90 days of the date of enactment of this act, USCIS shall provide a report to the Committee that details its efforts and specific actions, if any, taken to reduce the backlog of asylum applications, while ensuring that asylum applicants are properly reviewed for security purposes and that they meet all required standards.

Temporary Protected Status [TPS] and Nonimmigrant Visas.—USCIS shall provide to the Committee a monthly report on non-immigrant visas granted to individuals from each country covered under a TPS designation.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

The Federal Law Enforcement Training Centers [FLETC] serve as an interagency law enforcement training organization for more than 90 Federal agencies and certain SLTT and international law enforcement agencies on a space-available basis.

OPERATIONS AND SUPPORT

Appropriations, 2021	\$314,348,000
Budget estimate, 2022	322,436,000
Committee recommendation	322,436,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$355,636,000 for FLETC, which is equal to the request and \$15,288,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 enacted and fiscal year 2022 budget request levels:

FLETC
[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	314,348	322,436	322,436
Procurement, Construction, and Improvements	26,000	33,200	33,200
Total, FLETC	340,348	355,636	355,636

OPERATIONS AND SUPPORT

Appropriations, 2021	\$314,348,000
Budget estimate, 2022	322,436,000
Committee recommendation	322,436,000

Funding above the fiscal year 2021 enacted level is provided to meet a projected increase in basic training requirements. The Committee expects FLETC to maintain training at or near facility capacity before entering into new leases or establishing new partnerships with training organizations. To that end, the Committee di-

rects FLETC to provide a cost analysis detailing, at minimum, each training center’s maximum instructional capacity by course and measured against its annual student occupancy.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$26,000,000
Budget estimate, 2022	33,200,000
Committee recommendation	33,200,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$33,200,000 for Procurement, Construction, and Improvements [PC&I], which is the same as the budget request amount and \$7,200,000 below the fiscal year 2020 enacted level.

SCIENCE AND TECHNOLOGY

The mission of Science and Technology [S&T] is to conduct, stimulate, and enable homeland security research, development, and testing and to facilitate the timely transition of capabilities to the Department’s components and, as practicable, to other Federal and SLTT end users.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$868,903,000 for S&T, which is \$46,000,000 above the budget request amount and \$103,345,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to fiscal year 2021 enacted and budget request levels:

SCIENCE AND TECHNOLOGY

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	302,703	310,590	325,590
Procurement, Construction and Improvements	18,927	8,859	12,859
Research and Development	443,928	503,454	530,454
Total, Science and Technology	765,558	822,903	868,903

OPERATIONS AND SUPPORT

Appropriations, 2021	\$302,703,000
Budget estimate, 2022	310,590,000
Committee recommendation	325,590,000

The Operations and Support [O&S] appropriation funds the management functions necessary to facilitate the research and development mission of S&T.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$325,590,000 for O&S, which is \$15,000,000 above the budget request amount and \$22,887,000 above the fiscal year 2021 enacted level. Of the amount provided,

the Committee recommends not to exceed \$10,000 for official reception and representation expenses.

LABORATORY FACILITIES

The recommendation includes \$123,691,000 for Laboratory Facilities operations, which is equal to the request and \$875,000 above the fiscal year 2021 enacted level.

This recommendation fully funds the operations of all of the S&T Laboratory Facilities including the Chemical Security Analysis Center [CSAC] operations; the National Urban Security Technology Laboratory [NUSTL] operations; and the National Biodefense Analysis and Countermeasures Center [NBACC] operations. This recommendation also ensures that S&T can meet its responsibilities for the safe and secure operation of the Transportation Security Lab and the Plum Island Animal Disease Center [PIADC]. These facilities provide the Homeland Security Enterprise with a coordinated and enduring core of productive science, technology, and engineering laboratories, organizations, and institutions which provide the knowledge and technology to secure our Homeland. Additionally, Laboratory Facilities deliver long-term capabilities vital to the Department's mission by utilizing a coordinated network of S&T laboratories and the Department of Energy national laboratories.

ACQUISITION AND OPERATIONS ANALYSIS

The Committee recommends \$67,933,000 for Acquisition Operations and Analysis, which is \$15,000,000 above the request and \$10,637,000 above the fiscal year 2021 enacted level.

Projecting and Planning For Future Flow to U.S. Southwest Border.—The Committee commends the ongoing collaboration between S&T's System of Systems Operational Analytics and CBP's Operations Support on the development of integrated models that can project impacts to Federal agencies based on changes in flow to the border, changes in policies, and changes in agency resources. These models have the ability to project what is likely to happen, when it's likely to happen, and where along the border. To appropriately plan and budget for the impacts of flow to the southwest border, it is essential that the output from these models are routinely updated, monitored, and shared ensuring they reflect the most accurate data from relevant Federal agencies. The Committee provides \$15,000,000 above the request to S&T to expand and evolve the interagency models developed with CBP. The Committee recognizes that by modeling the different paths for different demographics (single adults, family units, and unaccompanied children) and applying predictive tools the Federal government, for the first time, will have a shared baseline across all Federal agencies with a role to play in the lifecycle of the process for a noncitizen encountered at the border. Working with the Department's Office of the Chief Financial Officer, and Policy Office (including the Office of Immigration Statistics), S&T and CBP shall work with ICE and USCIS, as well as the Department of Justice, and the Department of Health and Human Services to provide the output of such models in a timely manner to inform other agency models and the development of internal agency budget requests. Within 60 days of the

date of enactment of this act, S&T and CBP, along with DHS partners, shall provide a briefing to the Committee on execution of these funds and timeframe for delivery of model output to all impacted agencies.

SAFETY Act.—The recommendation includes \$10,043,000 for the Support Anti-Terrorism by Fostering Effective Technologies [SAFETY] Act (Public Law 107–296) program. This program encourages anti-terrorism preparedness and mitigation by providing liability protections for technologies or processes the program certifies or designates as meeting certain anti-terrorism standards.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$18,927,000
Budget estimate, 2022	8,859,000
Committee recommendation	12,859,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$12,859,000 for Procurement, Construction, and Improvements [PC&I], which is \$4,000,000 above the budget request amount and \$6,068,000 below the fiscal year 2021 enacted level. Funds provided for PC&I will be used for biological decontamination, completing environmental regulatory compliance activities, and preserving historic assets at the PIADC.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$443,928,000
Budget estimate, 2022	503,454,000
Committee recommendation	530,454,000

S&T supports the mission of the Department through basic and applied research, fabrication of prototypes, research and development to mitigate the effects of weapons of mass destruction, and acquiring and field testing equipment.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$530,454,000 for Research and Development [R&D], which is \$27,000,000 above the budget request amount and \$86,526,000 above the fiscal year 2021 enacted level.

The Committee directs S&T to continue to prioritize applied research activities that provide innovative solutions to the Department, its components, and their most integral stakeholders. Despite the inclusion of R&D appropriations for each component under the common appropriations structure, S&T should be the central component for departmental R&D, including R&D for other components. Ensuring that S&T is the principle R&D component will contribute to the goal of departmental unity of effort, a goal shared by the Committee and the Department. Therefore, the Committee directs the Secretary to notify the Committee not less than 60 days in advance of any reduction, discontinuation, or transfer from the custody of the Undersecretary for Science and Technology of any R&D activity that is being conducted by S&T as of the date of enactment of this act.

RESEARCH, DEVELOPMENT, AND INNOVATION

Transitioning New Capabilities to Operational Components.—The Committee commends S&T on the ongoing collaboration with DHS operational components to discover and develop innovative equipment and capabilities in support of mission critical homeland security programs. Funding provided for R&D work impacts future budget requests, informing decisions on how to spend billions of dollars in acquisitions, yet the R&D funding overall represents a small fraction of the overall costs. To better account for both the impact of R&D funding and how those resources improve DHS operational capabilities, S&T shall provide a briefing to the Committee within 45 days of the date of enactment of this act, on a plan to partner with DHS agencies to develop key measures that capture that impact and quantify a return of investment. Within 120 days of the date of enactment of this act, S&T shall provide the Committee initial examples of the impact of three R&D projects.

Minority Serving Institutions Program [MSIP].—The Committee supports S&T's work with minority-serving institutions [MSI], and the capabilities they bring to homeland security-related science, technology, engineering and mathematics. The Committee directs the Department to ensure that this program is open to MSIs, as defined in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)). Further, the Committee encourages the Department to continue and increase its public outreach and engagement to support non-traditional university partners, especially MSIs that serve rural and military populations, in building capacity in Department-relevant cyber research and education efforts.

Research and Prototyping for IED Defeat Program [RAPID].—The Committee supports continued funding for the RAPID Program to address critical public safety requirements, including adequately assessing emerging IED threats, developing render safe technologies and ensuring a proper transition to first responders with appropriate training. Within 90 days of the date of enactment of this act, S&T shall provide a report on RAPID funding, developing technologies and transition/training efforts to support public safety across the Nation.

Center of Excellence for Coastal Resilience [CRC].—The Committee acknowledges the work of the CRC and encourages S&T to continue that effort, including CRC's work in partnership with top research and educational institutions to conduct research, develop tools, and provide public outreach and education in support of the Department's missions in building resilient communities, enhancing coastal infrastructure resilience, understanding disaster dynamics, and encouraging community and individual action to build resiliency.

Port of Entry Data Analytic Capability.—The Committee is aware of and concurs with Presidential Determination No. 2017–09, which identifies a critical item shortfall of industrial capacity related to secure composite shipping containers. The Committee therefore includes up to \$10,000,000 to support container demonstrations to expedite transition of this new secure shipping capability into government and commercial shipping operations, and to evaluate new

scalable container security design improvements. Further, the Committee encourages S&T to work to develop thermoplastic composite materials that reduce costs and improve intrusion sensor integration and includes \$2,000,000 for this effort.

The Committee supports continued work to improve the data analytics and visualization tools available to CBP and ICE to track and inspect cargo entering and exiting the United States, particularly cargo that may contain opioids, weapons, or explosives. Improvements to automated threat algorithms and visualization tools can increase analyst efficiency, better target criminal networks, and increase the seizure of illicit goods and materials before they enter the United States. The Committee recommends up to \$6,000,000 to pursue R&D related to emerging analytics and data visualization that can enhance tracking from origin to destination of cargo and people with advanced interactive visual analytics to better identify criminal activity while expediting processing.

Data Analytics and Predictive Models to Secure Critical U.S. Energy Infrastructure.—The Committee continues to be concerned by the vulnerability of critical U.S. energy infrastructure to natural disasters and cyberattacks and requests S&T, in coordination with CISA, to assess opportunities to develop and deploy advanced data analytics and predictive models to better understand, predict, prevent, and mitigate cascading failures in power grids while factoring in the interdependencies among the power grid, the supporting communication and control network, and the human operators, including human-computer interaction.

Exploitation of Mesonets For Emergency Preparedness and Response.—The Committee is aware of the need to provide State and local emergency management officials and operators of critical infrastructure with tools to help manage risk for their communities. Advance warning of severe weather conditions, especially those featuring high levels of precipitation, snow or ice, on more precise and local scales is especially needed to mitigate inland flooding risks and prepare emergency rescue assets. The Committee recommends up to \$3,000,000 for initiating a pilot program with an academic partner to support the use of statewide mesonets that include broad use of boundary layer observations to help establish a replicable State and local model for improved use of weather data for emergency management purposes for both intensely and sparsely populated regions.

Next Generation Explosive Trace Detection.—The Committee continues to be concerned about the significant threat posed by the smuggling of narcotics, including opioids/fentanyl, and hazardous materials and through ports of entry [POEs] and transportation hubs. The Committee is aware of the Department's efforts to increase the percentage of cargo-containing trucks/tractor trailers undergoing primary inspection at POEs. To more effectively detect narcotics and hazardous materials in cargo loads at POEs and improve the efficiency of screening operations, the Committee recommends up to \$5,000,000 for additional capabilities to improve the detection and interdiction of threats encountered by CBP or TSA.

Air Domain Awareness.—The Committee encourages S&T to collaborate with the National Aeronautics and Space Administration

on research and development of technologies to provide unmanned traffic management applications for enhanced air domain awareness.

Explosives Threat Assessment.—The Committee is aware of S&T's robust and ongoing partnership with the Federal Bureau of Investigation's Terrorist Explosive Device Analysis Center to better understand and characterize home-made explosives and encourages S&T to continue to seek ways to fully utilize and expand this important partnership. The Committee is also pleased with S&T's outreach to other Federal research laboratories, including those operated by the U.S. Army Corps of Engineers, that have relevant expertise in high performance computing, computer-aided and interdisciplinary engineering, computer science, and instrumentation systems.

Maritime Border Security.—The Committee is encouraged by S&T's partnership with the U.S. Coast Guard, industry performers and academia to conduct research, development, testing and evaluation of wind and solar powered unmanned maritime vessels with surface and subsurface capabilities that can directly enhance the S&T mission and the operational partners they serve by improving support to missions such as counter-narcotics, search and rescue, aids to navigation, marine safety, marine environmental and defense readiness. In carrying out this activity, S&T shall consider the ways in which unmanned aerial systems [UAS] could be fully employed and utilized for such missions and shall strongly consider the current and future operational requirements of the Coast Guard. The Committee also recognizes the vast data threat facing the U.S. maritime sector and the direct threat this poses against critical infrastructure components for mission critical functions. The Committee includes up to \$1,500,000 for the ongoing maritime port resiliency and security research testbed to support the design and development of tactics, techniques, and procedures for effective threat response to critical maritime infrastructure.

Opioid and Fentanyl Detection.—The Committee supports continued S&T collaboration with ICE Homeland Security Investigations [HSI] with the development of opioid-related investigative, training, analytical and other capabilities and to partner with the DHS Center of Excellence for Criminal Investigations and Network Analysis.

Laboratory Facilities Research and Development.—In addition to including full funding to continue the operations of NBACC, CSAC, and NUSTL, the recommendation also includes sufficient funding to wholly continue research and development activities at these laboratories. The Committee is aware of unfunded infrastructure requirements for NBACC and believes preventative maintenance, repair, replacement, and updates to key support systems and facilities must be programmed into each fiscal year in order to preserve mission critical research capabilities. The Committee directs S&T to complete an assessment of NBACC infrastructure to include a prioritized list of unfunded maintenance and repair requirements and unmet needs. This assessment shall also include a prioritized schedule for the replacement or upgrades to equipment and systems identified in the assessment. The Committee directs S&T to

submit the findings of this review within 90 days of the date of enactment of this act.

Detection Canine.—Canine technologies are important tools in the detection and mitigation of threats to national security and public safety and are widely deployed for real-time, advanced threat detection. Canine teams serve as force multipliers across Federal, State, and local law enforcement units. S&T's Detection Canine Program integrates best scientific practices in canine behavior and cognition, olfactory neuroscience, analytical chemistry, genomics, reproduction, performance, well-being, metrology, and engineering, providing the detection canine community with a sustained, large-scale comprehensive government and academic effort to advance innovation, technology, and education in detection canine sciences. Therefore, the recommendation includes up to \$15,269,000 for the Detection Canine program of which up to \$10,000,000 is to continue efforts to pursue collaboration with end users to provide a central focal point for the Department's canine research, development, testing and evaluation; promote intra-Department and interagency coordination to drive the development of canine technologies with broad application for the whole of the Homeland Security Enterprise; and provide a specific focus on the Person Borne Improvised Explosive Device detection canine. Furthermore, the Committee directs S&T to provide a spend plan for the Detection Canine Program within 90 days of the date of enactment of this act and directs S&T to brief the Committee semiannually on the status of the program.

Enabling Unmanned Aerial Systems.—The Committee provides up to \$9,000,000 for Enabling Unmanned Aerial Systems [Enabling UAS] research and acknowledges the critical value in the establishment of the common test site for demonstration and research of UAS and is pleased that the site is also available to other Federal, State, and local partners. Within the amount provided, the recommendation includes up to \$4,000,000 for the Demonstration Site to conduct on-site testing and evaluation of Enabling UAS technologies for the DHS operational entities and encourages the close collaboration with the FAA UAS Center of Excellence.

Silicon Valley Innovation Program [SVIP].—The Committee continues to be encouraged by S&T's growing partnerships with industry through the SVIP and expects this program to continue to deliver rapid results. Within 90 days of the date of enactment of this act, S&T shall brief the Committee on the program's current and projected return on investment, including updates on projects that have been implemented into DHS programs.

Cybersecurity Research.—The Committee directs S&T to continue its efforts to ensure the effectiveness of cyber training for law enforcement and vulnerable populations and includes up to \$2,000,000 for S&T to continue working with a university partner to evaluate cybersecurity training materials and the social and behavioral impacts on protecting local law enforcement entities and their respective operations. Additionally, this amount shall continue to be used to research how to implement routine activity theory and other crime control methods on the cyber platforms most commonly used by the aging work force, the elderly, small businesses, and other vulnerable targets of online criminal schemes.

Natural Disaster Resiliency.—The recommendation includes, up to \$5,000,000 for S&T to enter into an Educational Partnership Agreement with the U.S. Army Corps of Engineers and one or more educational institutions with expertise in water infrastructure resilience, civil engineering, and material sciences and experience with collaborating with relevant Federal agencies, including the Department of Agriculture’s Natural Resources Conservation Service, for the purpose of developing capabilities for maintaining and improving the integrity of the U.S. levee and dams systems. Furthermore, the Committee includes up to \$5,000,000 to research viable alternatives of concrete dam design and performance, including characterization of structural demands and resistance, assessment of structural health and vulnerabilities, and development of repair and retrofit technologies including applications of advanced materials toward growing the industries and workforce of the future to strengthen our national resiliency.

Partnership Intermediary Agreements.—The Committee supports the Department’s efforts to establish Partnership Intermediaries, as defined under section 3715 of title 15, United States Code, to support its ability to seek out, assess, and engage non-traditional small business vendors for the Department’s development and acquisition efforts. The Committee provides \$4,000,000 for Partnership Intermediary Agreements to enable components across the Department to engage immediately on technology transfer and transition activities.

Biosurveillance and Security Test Capability.—The Committee acknowledges the ongoing evaluation by S&T of existing capabilities to assess vulnerabilities and mitigate biological risks, including COVID-19, in building air and water handling systems, multi-building facilities, and waste water systems. The Committee supports the development of improved standard methods, processes, and protocols required for test and evaluation field demonstration, as well as operational use guidelines or concepts of operation for technologies claiming to rapidly assess indoor environments for pathogenic contamination. Further, S&T shall work with the Office of Countering Weapons of Mass Destruction [CWMD] to determine whether this capability is supportive of the Biological Detection for the 21st Century program within its current development cycle. Within 90 days of the date of enactment of this act, S&T shall provide the Committee the results of the evaluation and a plan for test bed capabilities that takes into account the development of capability requirements and a bench scale testing plan to model this capability.

Critical Infrastructure and Cyber Attacks.—The Committee recognizes the increased threat of cyber-attacks on U.S. critical infrastructure and the need to develop and deploy timely software quality assurance tools for monitoring and timely cyber-attack mitigation. Up to \$2,000,000 is included to support university research in partnership with a National Laboratory critical infrastructure testbed to develop and demonstrate timely hierarchical software quality assurance and timely cyber-attack mitigation techniques for hardware in one or more of the following DHS-designated critical infrastructure sectors: Chemical, Information Technology, Critical Manufacturing, Water, and Communications.

Improving Detection Capabilities for Aerosolized Biological Threats.—The Committee is encouraged with the progress S&T and CWMD made to develop and test a prototype digital Matrix Assisted Laser Desorption and Ionization [MALDI] mass spectrometer that was used to test air samples that were retrieved from multiple operational venues. This new tool will help enable real-time detection of aerosolized biological threat agents including bacteria, viruses, toxins and biologically-active chemicals. Within 90 days of the date of enactment of this act, the Committee directs S&T to provide a report on DHS future plans to complete advanced development, transition, fielding and sustainment of these critical detection capabilities for aerosolized biological threats.

Gun Violence Intervention Initiatives.—The Committee provides \$15,000,000 above the request in support of a series of projects and products for collaboration between S&T and the Centers for Disease Control and Prevention on research and evaluation of targeted gun violence from public health and homeland security perspectives. Within 45 days of the date of enactment of this act, S&T shall brief the Committee on the planned projects, timeframes for completion, and anticipated deliverables.

Binational Cooperative Program.—The Committee provides up to \$2,000,000 for S&T to continue engagement in the binational research and development program. Within 180 days of the date of enactment of this act, S&T shall brief the Committee on the outcome of each grant awarded through the program and on any commercialization or transition to practice that has resulted from the program's initiatives.

Work for Others [WFO].—The Committee fully supports the WFO program within NBACC and directs S&T to provide a briefing within 90 days of the date of enactment of this act on the implementation and execution of the program. The briefing shall include a review of the current execution of the program and identify whether there is full cost recovery for WFO projects or activities.

UNIVERSITY PROGRAMS

The recommendation includes \$68,037,000 for University Programs, of which \$45,880,000 is for Centers of Excellence, including the Coastal Resilience Center, which shall continue to leverage partnerships with top research and educational institutions. The Committee recognizes the importance of the Centers of Excellence program to generate basic and applied research that delivers innovative technologies to the Homeland Security Enterprise.

Assessment of Border Security Capabilities and New Performance Measurement Tool.—To better inform future policy and budget decisions regarding border security investments that annually exceed \$5,000,000,000, the Committee provides \$12,000,000 above the request for S&T to leverage its existing capabilities, programs, and partnerships, including DHS federally Funded Research and Development Centers for their independent, subject matter expert analysis and evaluation, to engage with CBP on the development of an independent assessment of the current state of border security. This assessment shall encompass all relevant investments (personnel, technology, infrastructure, etc.) and identify how those investments translate into operational capabilities, including quanti-

fyng the change in capabilities. Further, this work shall inform the development and delivery of reusable decision support tools and capabilities to continue ongoing assessments of the impacts of border security-related investments, providing DHS and CBP the ability to identify any projected performance gains as a result of future investments.

The Committee directs S&T to provide, within 180 days of the date of enactment of this act, an initial report that includes a preliminary assessment of the efficacy and impact of technological solutions acquired and deployed within the past 5 years, personnel levels, as well as other related investments to address current border security needs. The Committee directs DHS S&T to provide a final report 12 months after task award an initial report that includes: 1) a final assessment of the efficacy and impact of border investments deployed within the past 5 years to address border protection needs; 2) recommendations for a decision support tool architecture that supports deployment of future technology solutions; and 3) an action plan based on the analyses and assessments.

Measuring Impact of Efforts to Combat Forced Labor.—The International Labor Organization estimates that 25 million people are trapped in forced labor around the world, including over four million children. Section 307 of the Tariff Act of 1930 (19 U.S.C. § 1307) prohibits the importation of merchandise mined, produced or manufactured, wholly or in part, in any foreign country by forced or indentured labor—including forced child labor. Such merchandise is subject to exclusion and/or seizure, and may lead to criminal investigation of the importer(s). The Committee commends the work of DHS to identify and seize materials brought to the U.S. as a result of forced labor. To accelerate DHS capabilities to prevent the entry of such goods, the Committee recommends \$5,000,000 above the request to S&T to develop, in partnership with CBP’s Office of Trade, analytic capabilities to assess the impact of DHS and CBP actions and investments on world-wide forced labor levels and how those investments impact U.S. businesses.

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

The Countering Weapons of Mass Destruction [CWMD] Office, as established through Public Law 115–387, leads the Department’s efforts to develop and enhance CWMD programs and capabilities that defend against weapons of mass destruction and to combat bio-threats and pandemics.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$442,011,000 for the CWMD Office, which is \$14,550,000 above the budget request amount and \$39,734,000 above the fiscal year 2021 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2021 and budget request levels:

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

[In thousands of dollars]

	Fiscal year 2021 enacted	Fiscal year 2022 budget request	Committee recommendations
Operations and Support	179,892	157,200	171,750
Procurement, Construction, and Improvements	87,413	71,604	71,604
Research and Development	65,309	65,709	65,709
Federal Assistance	69,663	132,948	132,948
Total, Countering Weapons of Mass Destruction Office ..	402,277	427,461	442,011

OPERATIONS AND SUPPORT

Appropriations, 2021	\$179,892,000
Budget estimate, 2022	157,200,000
Committee recommendation	171,750,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$171,750,000,000 for Operations and Support [O&S], which is \$14,550,000 above the budget request amount and \$8,142,000 below the fiscal year 2021 enacted level.

The Committee expects the report regarding research and development projects for the last five completed fiscal years and a strategic plan for completing, maintaining, or initiating new research and development from the CWMD office, as required in Senate Report 116–125, be submitted.

Chief Medical Officer [CMO].—As the primary DHS medical authority, the CMO has oversight responsibility for the Department’s medical and public health policies and operations. As such, the Committee directs the Secretary, through the Department’s CMO and pursuant to their responsibilities as authorized by 6 U.S.C. § 597(c), to develop and implement effective health security contingency planning, interagency coordination protocols and processes, and regionally based training and exercises to prepare the United States for the next pandemic or global response. These health security efforts should include all biological, chemical, and radiologic threats to the United States as guided by Material Threat Determinations and subsequent threat assessments by the Department and the Intelligence Community. Prior to implementation of these requirements, the Chief Medical Officer, shall brief the Committee on the contents and scope of the requirements. Within 90 days after implementation of these requirements the CMO shall brief the Committee on adoption of and compliance with these requirements.

Child Welfare Support at CBP Facilities.—The Committee provides \$14,550,000 above the request to the Office of the CMO, to obtain the services of, at minimum, two full-time, State-licensed child welfare professional or equivalent per each CBP sector along the southwest border. These providers will provide culturally competent, trauma-informed, and developmentally appropriate expertise, and advise on building systems of care to prevent and mitigate emotional/psychological trauma among detained children. The CMO shall work in coordination with CBP and provide a briefing within 60 days of the date of enactment of this act, on an execution plan for hiring child welfare support, to include how the personnel

will be deployed in the field and how translation services will be provided. The Committee further directs the CMO to develop and oversee implementation of standards for providing physical and mental healthcare to minors held in CBP custody within 180 days of the date of enactment of this act. Prior to implementation of these requirements, the CMO shall brief the Committee on the contents and scope of the requirements, and, within 90 days of the date of implementation shall brief the Committee on adoption of and compliance with these requirements.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2021	\$87,413,000
Budget estimate, 2022	71,604,000
Committee recommendation	71,604,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$71,604,000 for Procurement, Construction, and Improvements, which is the same as the budget request amount and \$15,809,000 below the fiscal year 2021 enacted level.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$65,309,000
Budget estimate, 2022	65,709,000
Committee recommendation	65,709,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$65,709,000 for Research and Development [R&D], which is the same as the budget request amount and \$400,000 above the fiscal year 2021 enacted level.

FEDERAL ASSISTANCE

Appropriations, 2021	\$69,663,000
Budget estimate, 2022	132,948,000
Committee recommendation	132,948,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$132,948,000 for Federal Assistance, which is the same as the budget request amount and \$63,285,000 above the fiscal year 2021 enacted level, reflecting the transfer of programs previously funded under O&S but transferred in fiscal year 2022 to Federal Assistance, including \$48,500,000 for BioWatch.

Biosurveillance Capabilities.—In 2019, the Department began a new program, Biological Detection for the Twenty-First Century [BD21] to strengthen national biodetection capabilities, enhancing early detection of aerosolized biological attacks to reduce negative impacts. The Committee directs CWMD to provide an update on the status of BD21 and plans to replace BioWatch capabilities within 120 days of the date of enactment of this act. Further, that update shall include a status from CWMD on implementation of the GAO recommendations in their May 2021 report, GAO–21–292, “DHS Exploring New Methods to Replace BioWatch and Could Benefit from Additional Guidance.”

Securing the Cities Implementation Plan.—The Countering Weapons of Mass Destruction Act of 2018 requires CWMD to develop an implementation plan for the Securing the Cities program that, among other things, identifies the goals of the program and provides a strategy for achieving those goals. The Committee directs CWMD to provide an updated implementation plan for the Securing the Cities program, which also incorporates a detailed assessment on the spending of program funds and the impact of those funds on achieving key performance measures program milestones within 120 days of the date of enactment of this act.

TITLE IV—ADMINISTRATIVE PROVISIONS

Section 401. The Committee continues a provision allowing USCIS to acquire, operate, equip, and dispose of up to five vehicles under certain scenarios.

Section 402. The Committee continues a provision limiting the use of A-76 competitions by USCIS.

Section 403. The Committee continues a provision requiring reporting on certain USCIS activities.

Section 404. The Committee continues a provision authorizing FLETC to distribute funds for incurred training expenses.

Section 405. The Committee continues a provision directing the FLETC Accreditation Board to lead the Federal law enforcement training accreditation process to measure and assess Federal law enforcement training programs, facilities, and instructors.

Section 406. The Committee continues a provision allowing for FLETC's acceptance of transfers from government agencies into this appropriation.

Section 407. The Committee continues a provision classifying FLETC instructor staff as inherently governmental for certain considerations.

Section 408. The Committee includes a provision to permit USCIS to oversee the collection of biometrics virtually.

Section 409. The Committee includes a provision to permit USCIS Director the use of official reception and representation expenses.

Section 410. The Committee includes a provision relating to the E-Verify program.

Section 411. The Committee includes a provision relating to the Religious Workers program.

Section 412. The Committee includes a provision relating to the Conrad 30 program.

Section 413. The Committee includes a provision giving the Secretary discretion to authorize additional H-2B visas.

Section 414. The Committee includes a provision to recapture unused visas.

Section 415. The Committee includes a provision that makes Diversity Visas available.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Section 501. The bill includes a provision stipulating that no part of any appropriation shall remain available for obligation beyond the current fiscal year unless expressly provided.

Section 502. The bill includes a provision stipulating that unexpended balances of prior appropriations may be merged with new appropriations accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The bill includes a provision that provides authority to reprogram appropriations within an account and to transfer up to 5 percent between accounts with 15-day advance notification to the Committee. A detailed funding table identifying each congressional control level for reprogramming purposes is included at the end of this statement. These reprogramming guidelines shall be complied with by all departmental components funded by this act.

The Committee expects the Department to submit reprogramming requests on a timely basis and to provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committee should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing FTE levels for the current fiscal year and to the levels required for the following fiscal year.

The Committee expects the Department to manage its programs and activities within the levels appropriated. The Committee reminds the Department that reprogramming or transfer requests should be submitted only in the case of an unforeseeable emergency or a situation that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer request to the Committee and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming or transfer request unapproved.

The Department shall not propose a reprogramming or transfer of funds after June 30 unless there are extraordinary circumstances that place human lives or property in imminent danger. To the extent that any reprogramming proposals are required, the Department is strongly encouraged to submit them well in advance of the June 30 deadline.

Section 504. The bill includes a provision relating to the Department's Working Capital Fund [WCF] that: extends the authority of the WCF in fiscal year 2022; prohibits funds appropriated or otherwise made available to the Department from being used to make payments to the WCF, except for the activities and amounts allowed in the budget request; makes WCF funds available until expended; ensures departmental components are only charged for direct usage of each WCF service; makes funds provided to the WCF available only for purposes consistent with the contributing component; and requires the WCF to be paid in advance or reimbursed at rates that will return the full cost of each service. The WCF table included in the justification materials accompanying the budget request shall serve as the control level for quarterly execution reports submitted to the Committee not later than 30 days after the end of each quarter. These reports shall identify any activity added or removed from the fund.

Section 505. The bill includes a provision stipulating that not to exceed 50 percent of unobligated balances recorded not later than June 30 from appropriations made for salaries and expenses in fiscal year 2022 shall remain available through fiscal year 2023, subject to reprogramming.

Section 506. The bill includes a provision providing that funds for intelligence activities are specifically authorized during fiscal year 2022 until the enactment of an act authorizing intelligence activities for fiscal year 2022.

Section 507. The bill continues a provision specifying Committee notification thresholds related to awards for grants, contracts, other transaction agreements, certain task or delivery orders, letters of intent, and certain public announcements.

Section 508. The bill includes a provision stipulating that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without the advance notification to the Committees on Appropriations of the Senate and the House of Representatives.

Section 509. The bill includes a provision stipulating that none of the funds provided by this act may be used for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved. The bill excludes funds that may be required for development of a proposed prospectus.

Section 510. The bill includes a provision that consolidates and continues by reference prior-year statutory bill language into one provision. These provisions concern contracting officers' training and Federal building energy performance.

Section 511. The bill includes a provision stipulating that none of the funds provided by this act may be used in contravention of the Buy American Act (Public Law 72-428).

Section 512. The bill includes a provision prohibiting funds from being used to amend the oath of allegiance required under section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Section 513. The bill includes a provision prohibiting funds from being used to carry out section 872 of the Homeland Security Act of 2002 (Public Law 107-296).

Section 514. The bill includes a provision prohibiting funds from being used to plan, test, pilot, or develop a national identification card.

Section 515. The bill includes a provision directing that any official required by this act to report or certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority unless expressly authorized to do so in this act.

Section 516. The bill includes a provision prohibiting funds provided by this act to be used for first-class travel.

Section 517. The bill includes a provision prohibiting funds provided by this act to be used to employ workers in contravention of section 274A(h)(3) of the Immigration and Nationality Act.

Section 518. The bill includes a provision prohibiting funds appropriated or otherwise made available by this act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 519. The bill includes a provision prohibiting funds appropriated or otherwise made available by this act for the Department to enter into a Federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 520. The bill includes a provision regarding restrictions on electronic access to pornography.

Section 521. The bill includes a provision regarding the transfer of an operable firearm by a Federal law enforcement officer to an agent of a drug cartel.

Section 522. The bill includes and modifies language regarding the number of employees permitted to attend international conferences.

Section 523. The bill includes a provision prohibiting funds made available by this act to reimburse any Federal department or agency for its participation in an NSSE.

Section 524. The bill includes a provision on structural pay reform that affects more than 100 full-time positions or costs more than \$5,000,000 in a single year.

Section 525. The bill includes a provision directing the Department to post on a public website reports required by the Committees on Appropriations of the Senate and the House of Representatives unless public posting compromises homeland or national security or contains proprietary information.

Section 526. The bill continues a provision allowing Operations and Support funding to be used for certain activities.

Section 527. The bill includes a provision related to the Arms Trade Treaty.

Section 528. The bill includes a provision related to schooling for certain overseas dependents.

Section 529. The bill continues a provision for the reimbursement of the costs for extraordinary protection activities related to certain Presidential residences.

Section 530. The bill includes a provision regarding the Department's carrying out certain prototype projects.

Section 531. The bill includes a provision regarding congressional visits to detention facilities.

Section 532. The bill includes a provision prohibiting the use of funds to use restraints on pregnant detainees in the Department's custody except in certain circumstances.

Section 533. The bill includes a provision prohibiting the use of funds for the destruction of records related to the sexual abuse or assault of detainees in custody.

Section 534. The bill includes a provision related to user fee proposals that have not been enacted into law prior to submission of the budget request.

Section 535. The bill includes a provision regarding protection for a former or retired Government official or employee.

Section 536. The bill includes a new provision establishing the Department of Homeland Security Nonrecurring Expenses Fund.

Section 537. The bill includes a new provision extending the portability of licensure for the Department's medical professionals.

Section 538. The bill includes a new provision transferring funds to the Global Engagement Center at the Department of State.

Section 539. The bill rescinds unobligated balances from prior year appropriations, including unobligated balances for technology with unclear execution timelines.

PROGRAM, PROJECT, AND ACTIVITY

In fiscal year 2021, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended, the following information provides the definition of the term "program, project, and activity" for the components of the Department of Homeland Security under the jurisdiction of the Homeland Security Subcommittee of the Committee on Appropriations. The term "program, project, and activity" shall include the most specific level of budget items identified in the Department of Homeland Security Appropriations Act, 2021, the House and Senate Committee reports, and the conference report and the accompanying Joint Explanatory Statement of the managers of the committee of conference.

If a percentage reduction is necessary, in implementing that reduction, components of the Department of Homeland Security shall apply any percentage reduction required for fiscal year 2021 to all items specified in the justifications submitted to the Committees on Appropriations of the Senate and the House of Representatives in support of the fiscal year 2020 budget estimates, as amended, for such components, as modified by congressional action.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports accompanying general appropriations bills identify each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2022:
Analysis and Operations: Operations and Support.

U.S. Customs and Border Protection: Operations and Support; and Procurement, Construction, and Improvements.

U.S. Immigration and Customs Enforcement: Operations and Support; and Procurement, Construction, and Improvements.

Transportation Security Administration: Operations and Support; Procurement Construction and Improvements; and Research and Development.

Coast Guard: Operations and Support; Procurement Construction and Improvements; and Research and Development; and Retired Pay.

Cybersecurity and Infrastructure Security Agency: Operations and Support; Procurement Construction and Improvements; and Research and Development.

Federal Emergency Management Agency: Operations and Support; Procurement, Construction and Improvements; and Federal Assistance Programs.

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI, OF THE
STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

In compliance with this rule, changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

TITLE 6—DOMESTIC SECURITY

CHAPTER 1—HOMELAND SECURITY ORGANIZATION

SUBCHAPTER VIII—COORDINATION WITH NON-FEDERAL ENTITIES;
INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST
GUARD; GENERAL PROVISIONS

PART D—ACQUISITIONS

§ 391. Research and development projects

(a) Authority

Until ~~【September 30, 2017】~~*September 30, 2022*, and subject to subsection (d), the Secretary may carry out a pilot program under which the Secretary may exercise the following authorities:

* * * * *

(c) Additional requirements

(1) In general

The authority of the Secretary under this section shall terminate ~~【September 30, 2017】~~*September 30, 2022*, unless before that date the Secretary—

TITLE 8—ALIENS AND NATIONALITY

CHAPTER 12—IMMIGRATION AND NATIONALITY

SUBCHAPTER I—GENERAL PROVISIONS

§ 1101. Definitions

(a) As used in this chapter—

* * * * *

(27) The term “special immigrant” means—

(A) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

* * * * *

(C) an immigrant, and the immigrant’s spouse and children if accompanying or following to join the immigrant, who—

(i) for at least 2 years immediately preceding the time of application for admission, has been a member of a religious denomination having a bona fide nonprofit, religious organization in the United States;

(ii) seeks to enter the United States—

(I) solely for the purpose of carrying on the vocation of a minister of that religious denomination,

(II) before ~~【September 30, 2015】~~*September 30, 2022*,³ in order to work for the organization at the request of the organization in a professional capacity in a religious vocation or occupation, or

(III) before ~~【September 30, 2015】~~*September 30, 2022*, in order to work for the organization (or for a bona fide organization which is affiliated with the religious denomination and is exempt from taxation as an

organization described in section 501(c)(3) of title 26
at the request of the organization in a religious voca-
tion or occupation; and

* * * * *

SUBCHAPTER II—IMMIGRATION

PART II—ADMISSION QUALIFICATIONS FOR ALIENS; TRAVEL CONTROL
OF CITIZENS AND ALIENS

§ 1182. Inadmissible aliens

* * * * *

Pub. L. 103–416, title II, § 220(c), Oct. 25, 1994, 108 Stat. 4320, as amended by Pub. L. 104–208, div. C, title VI, § 622(a), Sept. 30, 1996, 110 Stat. 3009–695 ; Pub. L. 107–273, div. C, title I, § 11018(b), Nov. 2, 2002, 116 Stat. 1825 ; Pub. L. 108–441, § 1(a)(1), Dec. 3, 2004, 118 Stat. 2630 ; Pub. L. 109–477, § 2, Jan. 12, 2007, 120 Stat. 3572 ; Pub. L. 110–362, § 1, Oct. 8, 2008, 122 Stat. 4013 ; Pub. L. 111–9, § 2, Mar. 20, 2009, 123 Stat. 989 ; Pub. L. 111–83, title V, § 568(b), Oct. 28, 2009, 123 Stat. 2186 ; Pub. L. 112–176, § 4, Sept. 28, 2012, 126 Stat. 1325, provided that: “The amendments made by this section [amending this section and section 1184 of this title] shall apply to aliens admitted to the United States under section 101(a)(15)(J) of the Immigration and Nationality Act [8 U.S.C. 1101(a)(15)(J)], or acquiring such status after admission to the United States, before, on, or after the date of enactment of this Act [Oct. 25, 1994] and before [September 30, 2015]September 30, 2022.”

* * * * *

PART VIII—GENERAL PENALTY PROVISIONS

§ 1324a. Unlawful employment of aliens

* * * * *

SEC. 401. ESTABLISHMENT OF PROGRAMS.

(a) IN GENERAL.—The Secretary of Homeland Security shall conduct 3 pilot programs of employment eligibility confirmation under this subtitle.

(b) IMPLEMENTATION DEADLINE; TERMINATION.—The Secretary of Homeland Security shall implement the pilot programs in a manner that permits persons and other entities to have elections under section 402 of this division made and in effect no later than 1 year after the date of the enactment of this Act [Sept. 30, 1996]. Unless the Congress otherwise provides, the Secretary of Homeland Security shall terminate a pilot program on [September 30, 2015]September 30, 2022.

**DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2015 (PUBLIC LAW 114-4)**

FEDERAL EMERGENCY MANAGEMENT AGENCY

* * * * *

DISASTER RELIEF FUND
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,033,464,494, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: Provided, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget proposal for ~~【fiscal year 2018】~~*fiscal year 2022* is submitted pursuant to section 1105(a) of title 31, United States Code:

* * * * *

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth *business* day of each month, and shall be published by the Administrator on the Agency's Web site not later than the fifth day of each month:

**CONSOLIDATED APPROPRIATIONS ACT, 2018, PUBLIC
LAW 115-141**

**DIVISION F—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2018**

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

* * * * *

ADMINISTRATIVE PROVISIONS

SEC. 201. (a) For ~~【fiscal year 2018】~~*fiscal year 2022*, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$45,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies.

* * * * *

TITLE V

GENERAL PROVISIONS

* * * * *

SEC. 534. (a) For an additional amount for “Federal Emergency Management Agency—Federal Assistance”, \$41,000,000, to remain available until September 30, 2019, exclusively for providing reimbursement of extraordinary law enforcement personnel costs for protection activities directly and demonstrably associated with any residence of the President that is designated or identified to be secured by the United States Secret Service.

(b) Funds under subsection (a) shall be available only for costs that a State or local agency—

(1) incurs on or after ~~【October 1, 2017】~~*October 1, 2021*, and before ~~【October 1, 2018】~~*October 1, 2022*;

(2) can demonstrate to the Administrator as being—

(A) in excess of the costs of normal and typical law enforcement operations;

(B) directly attributable to the provision of protection described herein; and

(C) associated with a non-governmental property designated or identified to be secured by the United States Secret Service pursuant to section 3 or section 4 of the Presidential Protection Assistance Act of 1976 (Public Law 94–524); and

(3) certifies to the Administrator as being for protection activities requested by the Director of the United States Secret Service.

(c) For purposes of subsection (a), a designation or identification of a property to be secured under subsection (b)(2)(C) made after incurring otherwise eligible costs shall apply retroactively to ~~【October 1, 2017】~~*October 1, 2021*.

(d) The Administrator may establish written criteria consistent with subsections (a) and (b).

(e) None of the funds provided shall be for hiring new or additional personnel.

(f) The Inspector General of the Department of Homeland Security shall audit reimbursements made under this section.

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING
ITEMS

The Constitution vests in the Congress the power of the purse. The Committee believes strongly that Congress should make the decisions on how to allocate the people's money. As defined in Rule XLIV of the Standing Rules of the Senate, the term "congressionally directed spending item" means a provision or report language included primarily at the request of a Senator, providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or congressional district, other than through a statutory or administrative, formula-driven, or competitive award process.

For each item, a Member is required to provide a certification that neither the Member nor the Member's immediate family has a pecuniary interest in such congressionally directed spending item. Such certifications are available to the public on the website of the Senate Committee on Appropriations (<https://www.appropriations.senate.gov/congressionally-directed-spending-requests>). Following is a list of congressionally directed spending items included in the Senate recommendation discussed in this explanatory statement, along with the name of each Senator who submitted a request to the Committee of jurisdiction for each item so identified. Neither the Committee recommendation nor this report contains any limited tax benefits or limited tariff benefits as defined in rule XLIV.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

(In thousands of dollars)

Senator(s)	Recipient	Project	Amount	Type
Baldwin	Village of Mount Pleasant	Lake Park Bluff Mitigation Project	1,666	Pre-Disaster Mitigation
Blumenthal, Murphy	Connecticut Department of Transportation	Replacement of Bridge No. 02100 at Route 154 over Bible Rock Brook.	1,500	Pre-Disaster Mitigation
Booker, Menendez	Borough of North Caldwell	Hazard Mitigation Improvements in North Caldwell	300	Pre-Disaster Mitigation
Brown	City of Mansfield	Flood Mitigation Project	1,000	Pre-Disaster Mitigation
Brown	Perkins Township	Perkins Township Emergency Operations Center and Fire Station.	600	Emergency Operations Center
Burr	City of Asheboro	Asheboro Emergency Response Station	3,000	Emergency Operations Center
Burr	Town of Duck, NC	Town of Duck BRIC	1,694	Pre-Disaster Mitigation
Capito	WV Division of Emergency Management	Emergency Operations Center Facility Project	955	Emergency Operations Center
Cardin	WV Division of Emergency Management	WV Water Treatment Plant Auxiliary Power Project	708	Pre-Disaster Mitigation
	City of Rockville	City of Rockville 6 Taft Court Emergency Power Generation.	409	Pre-Disaster Mitigation
Casey	Beaver County Emergency Services	Beaver County Emergency Operations Center	320	Emergency Operations Center
Casey	Upper Burrell Township	Lower Drennen Road Landslide Mitigation	184	Pre-Disaster Mitigation
Collins	York County Emergency Management Agency	York County emergency operations center and regional all-hazards training and response facility.	850	Emergency Operations Center
Cortez Masto, Rosen	Carson City Public Works Department	Carson City Emergency Operations Center/Fire Station/Back Up Emergency Dispatch Center.	2,000	Emergency Operations Center
Durbin	Board of Trustees of Western Illinois University	Macomb Emergency Operations Center at Western Illinois University (WIU).	2,000	Emergency Operations Center
Durbin	DuPage County	St. Joseph Creek Condominiums Flood Walls & Flood Gates.	915	Pre-Disaster Mitigation
Durbin	Wauconda Fire Protection District	Wauconda FPD EOC Generator Replacement	48	Emergency Operations Center
Fenstein, Padilla	City of Chino Hills	City of Chino Hills Citywide Fuel Reduction	565	Pre-Disaster Mitigation
Fenstein, Padilla	City of Santa Rosa	Santa Rosa Emergency Operations Center	1,000	Emergency Operations Center
Gillibrand	Village of Pulaski	Stormwater Flooding Improvements	1,000	Pre-Disaster Mitigation
Gillibrand, Schumer	Town of Amherst	Town of Amherst Emergency Operations Center (EOC) Communications and Bathroom / Kitchen Upgrades.	500	Emergency Operations Center
Heinrich, Luján	Doña Ana County	Doña Ana County Emergency Operations Center	1,500	Emergency Operations Center
Hyde-Smith	City of Pascagoula	Building Resilient Infrastructure and Communities—Substantial Improvement Pilot Program.	1	Pre-Disaster Mitigation
Kaine, Warner	Chesterfield County	Otterdale Rd. Drainage Improvements	1,000	Pre-Disaster Mitigation
Kelly, Sinema	Pinal County	Pinal County Emergency Operation Center Technology	250	Emergency Operations Center
King	Dover-Foxcroft, ME	Dover-Foxcroft, ME Lincoln Bridge Rehabilitation Project	883	Pre-Disaster Mitigation

Staff Name	Fond du Lac Band of Lake Superior Chippewa	Fond du Lac Law Enforcement and Emergency Management Building	Emergency Operations Center
Klobuchar, Smith			2,742
Leahy	Vermont Emergency Management	Starksboro Mobile Home Parks Flood Mitigation and Community Space	400
Leahy	State of Vermont	Stream Restoration and Resilience	2,620
Luján	Columbus Port of Entry	Columbus LPOE Flood Control Diversion Berm and Bridge Phase II	1,000
Luján, Heinrich	Luna County	Luna County Emergency Operations Center	1,500
Manchin	The City of Huntington	Fourpole Creek Pump Station Design and Engineering	2,925
Merkeley, Wyden	Benton County	Benton County Emergency Operations Center	1,000
Merkeley	Central Oregon Intergovernmental Council	Emergency Services Training and Coordination Center	750
Moran	City of Emporia, Kansas	Emporia Pre-Disaster Mitigation	1,796
Murkowski	Ahtiq Tribe of Old Harbor	Tsunami Shelter for the Ahtiq Tribe of Old Harbor, Alaska	1,500
Murphy, Blumenthal	Capitol Region Council of Governments	Capitol Region Natural Hazards Mitigation Plan Update	189
Murphy, Blumenthal	Connecticut Institute for Resilience and Climate Adaptation	Connecticut Institute for Resilience and Climate Adaptation	2,300
Murphy, Blumenthal	Town of South Windsor, CT	Emergency Operation Center, South Windsor	84
Murphy, Blumenthal	Town of Newington	Town of Newington Emergency Operations Center	1,000
Murray	Quinault Indian Nation	Emergency Washington State Route 109 Bypass	1,400
Padilla	City of Lancaster	Emergency Operations Center at Lancaster City Hall	500
Padilla, Feinstein	City of Torrance	Torrance Emergency Operations Center Power Supply	700
Sanders	Randolph Area Community Development Corporation	Salisbury Square Planned Community & Community Microgrid	753
Sanders	Windham Regional Commission	Windham Region Energy Resiliency Zones	151
Schatz	Honolulu Fire Department	HFD Generators at Fire Stations	1,805
Schumer	County of Westchester, NY	Emergency Communications Radio System Replacement	2,000
Schumer	Suffolk County Department of Fire	Suffolk County Fire Rescue and Emergency Service—Emergency Operation Center Renovation	250
Shaheen	Town of Durham Department of Public Works	Emergency Generators	543
Shaheen	Hampstead Fire Department	Emergency Operations Center Renovation	200
Snema, Kelly	City of Sedona	Sedona Emergency Operations Center-Police Remodel and Renovations	900
Smith, Klobuchar	Metropolitan Airports Commission (MAC)	Public Safety and Security Building—MSP International Airport	1,500
Van Hollen	Frederick County	Point of Rocks Significant/High Hazard Dam Decommissioning and Stream Restoration	908
Warren, Markey	City of Boston	Climate Resilience and Equity in South Boston for a Resilient Moakley Park	1,800
Warren, Markey	City of Chelsea	Mill Creek Restoration & Resilience Project	800

CONGRESSIONALLY DIRECTED SPENDING ITEMS—Continued

(In thousands of dollars)

Senator(s)	Recipient	Project	Amount	Type
Whitehouse	Warwick Emergency Management Agency	Emergency Operations Center Performance Improvement	240	Emergency Operations Center
Whitehouse	Town of Lincoln, RI	Town-wide Wastewater Pump-Station Update	400	Pre-Disaster Mitigation
Wyden	Baker County Sheriff's Office	Emergency Operations Center	2,000	Emergency Operations Center

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2022
 [In thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
DEPARTMENT OF HOMELAND SECURITY					
TITLE I—DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, & OVERSIGHT					
Operations and Support:					
Management and Oversight	54,932	75,650	.....	-54,932	-75,650
Office of the Secretary .....	.....	.....	13,846	+13,846	+13,846
Office of Public Affairs .....	.....	.....	7,917	+7,917	+7,917
Office of Legislative Affairs .....	.....	.....	7,112	+7,112	+7,112
Office of General Counsel .....	.....	.....	25,848	+25,848	+25,848
Privacy Office .....	.....	.....	17,929	+17,929	+17,929
Subtotal, Management and Oversight	54,932	75,650	72,652	+17,720	-2,998
Office of Strategy, Policy and Plans					
Operations and Engagement	50,939	68,341	68,341	+17,402	.....
Office for Civil Rights and Civil Liberties	74,948	80,756	.....	-74,948	-80,756
Office of the Citizenship and Immigration Services Ombudsman .....	.....	.....	38,660	+38,660	+38,660
Office of the Immigration Detention Ombudsman .....	.....	.....	8,419	+8,419	+8,419
Office of Partnership and Engagement .....	.....	.....	20,304	+20,304	+20,304
.....	.....	.....	13,179	+13,179	+13,179
Subtotal, Operations and Engagement	74,948	80,756	80,562	+5,614	-194
Subtotal, Operations and Support	180,819	224,747	221,555	+40,736	-3,192
Federal Assistance:					
Office of Strategy, Policy, and Plans:	20,000	20,000	20,000	.....	.....
Targeted Violence and Terrorism Prevention Grants .....	.....	.....	.....	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2022—Continued
 [In thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Operations and Engagement:					
ATD Case Management Pilot Grant Program	5,000	5,000	.....	-5,000	-5,000
Subtotal, Federal Assistance	25,000	25,000	20,000	-5,000	-5,000
FEMA Assistance Grants (transfer out)	(-25,000)	(-25,000)	(-20,000)	(+5,000)	(+5,000)
Total, Office of the Secretary and Executive Management	205,819	249,747	241,555	+35,736	-8,192
(transfer out)	-25,000	-25,000	-20,000	+5,000	+5,000
Total Office of the Secretary and Executive Management (with transfer)	180,819	224,747	221,555	+40,736	-3,192
Management Directorate					
Operations and Support:					
Immediate Office of the Under Secretary for Management	4,536	4,582	4,582	+46	.....
Office of the Chief Readiness Support Officer	179,036	293,137	293,137	+114,101	.....
Office of the Chief Human Capital Officer	129,198	136,911	136,911	+7,713	.....
Office of the Chief Security Officer	134,752	153,726	153,726	+18,974	.....
Office of the Chief Procurement Officer	106,554	93,945	93,945	-12,609	.....
Office of the Chief Financial Officer	89,101	102,932	107,932	+18,831	.....
Office of the Chief Information Officer	501,424	645,909	645,909	+144,485	+5,000
Office of Program Accountability and Risk Management .....	.....	16,174	16,174	+16,174	.....
Office of Biometric Identity Management:					
Identity and Screening Program Operations	76,500	206,237	206,237	+129,737	.....
(Defense) .....	.....	(9,000)	(9,000)	(+9,000)	.....
IDENI/Homeland Advanced Recognition Technology	177,061	.....	.....	-177,061	.....
Subtotal, Operations and Support	1,398,162	1,653,553	1,658,553	+260,391	+5,000

(Nondefense)	(1,398,162)	(1,644,553)	(1,649,553)	(+251,391)	(+5,000)
(Defense)		(9,000)	(9,000)	(+9,000)	
Procurement, Construction, and Improvements:					
Construction and Facility Improvements	55,184	209,700	209,700	+154,516	
Mission Support Assets and Infrastructure	129,941	140,719	110,719	-19,222	-30,000
IDENT/Homeland Advanced Recognition Technology	29,670	45,952	25,952	-3,718	-20,000
Subtotal, Procurement, Construction, and Improvements	214,795	396,371	346,371	+131,576	-50,000
Federal Protective Service:					
FPS Operations:					
Operating Expenses	387,500	393,333	393,333	+5,833	
Countermeasures:					
Protective Security Officers	1,177,100	1,234,696	1,234,696	+57,596	
Technical Countermeasures	24,148	25,355	25,355	+1,207	
Unallocated reduction based on CBO estimate of receipts		-28,384	-28,384	-28,384	
Subtotal, Federal Protective Service (Gross)	1,588,748	1,625,000	1,625,000	+36,252	
Offsetting Collections	-1,588,748	-1,625,000	-1,625,000	-36,252	
Subtotal, Federal Protective Service (Net)					
Total, Management Directorate	1,612,957	2,049,924	2,004,924	+391,967	-45,000
(Discretionary Appropriations)	(3,201,705)	(3,674,924)	(3,629,924)	(+428,219)	(-45,000)
(Offsetting Collections)	(-1,588,748)	(-1,625,000)	(-1,625,000)	(-36,252)	
Operations and Support	298,500	320,620	320,620	+22,120	
Office of Inspector General	190,186	205,359	205,359	+15,173	
Total, Title I, Departmental Management, Operations, Intelligence, and Oversight	2,307,462	2,825,650	2,772,458	+464,996	-53,192
(Discretionary Appropriations)	(3,896,210)	(4,450,650)	(4,397,458)	(+501,248)	(-53,192)
(Defense)		(9,000)	(9,000)	(+9,000)	
(Non-Defense)	(3,896,210)	(4,441,650)	(4,388,458)	(+492,248)	(-53,192)
(Offsetting Collections)	(-1,588,748)	(-1,625,000)	(-1,625,000)	(-36,252)	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2022—Continued

[In thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
(Transfer out)	(- 25,000)	(- 25,000)	(- 20,000)	(+ 5,000)	(+ 5,000)
TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
US Customs and Border Protection					
Operations and Support:					
Border Security Operations:					
US Border Patrol:					
Operations	4,090,553	4,428,901	4,486,401	+395,848	+ 57,500
Assets and Support	716,734	669,752	683,752	- 32,982	+ 14,000
Office of Training and Development	62,146	69,225	69,225	+ 7,079	.....
Subtotal, Border Security Operations	4,869,433	5,167,878	5,239,378	+ 369,945	+ 71,500
Trade and Travel Operations:					
Office of Field Operations:					
Domestic Operations	3,198,271	3,329,836	3,402,232	+ 203,961	+ 72,396
International Operations	148,389	153,089	153,089	+ 4,700	.....
Targeting Operations	257,648	273,932	273,932	+ 16,284	.....
Assets and Support	1,009,916	1,017,029	1,017,029	+ 7,113	.....
Office of Trade	289,387	289,746	309,746	+ 20,359	+ 20,000
Office of Training and Development	65,445	71,023	71,023	+ 5,578	.....
Subtotal, Trade and Travel Operations	4,969,056	5,134,655	5,227,051	+ 257,995	+ 92,396
Integrated Operations:					
Air and Marine Operations:					
Operations	317,965	327,464	327,464	+ 9,499	.....
Assets and Support	565,554	564,886	564,886	- 668	.....
Air and Marine Operations Center	40,789	38,820	38,820	- 1,969	.....
Office of International Affairs	43,099	45,668	45,668	+ 2,569	.....

Office of Intelligence	62,447	66,937	66,937	66,937	+ 4,490	.....
Office of Training and Development	9,210	12,523	12,523	12,523	+ 3,313	.....
Operations Support	152,333	144,261	144,261	146,261	- 6,072	+ 2,000
Subtotal, Integrated Operations	1,191,397	1,200,559	1,202,559	1,202,559	+ 11,162	+ 2,000
Mission Support:						
Enterprise Services	1,472,264	1,431,212	1,478,712	1,478,712	+ 6,448	+ 47,500
(Harbor Maintenance Trust Fund)	(3,274)	(3,274)	(3,274)	(3,274)		
Office of Professional Responsibility	212,693	291,380	254,210	254,210	+ 41,517	- 37,170
Executive Leadership and Oversight	194,080	201,125	203,625	203,625	+ 9,545	+ 2,500
Subtotal, Mission Support	1,879,037	1,923,717	1,936,547	1,936,547	+ 57,510	+ 12,830
Subtotal, Operations and Support	12,908,923	13,426,809	13,605,535	13,605,535	+ 696,612	+ 178,726
Procurement, Construction, and Improvements:						
Border Security Assets and Infrastructure	1,513,000	54,315	144,115	144,115	- 1,368,885	+ 89,800
Trade and Travel Assets and Infrastructure	22,530	44,653	80,653	80,653	+ 58,123	+ 36,000
Integrated Operations Assets and Infrastructure Airframes and Sensors	119,076	41,977	63,595	63,595	- 55,481	+ 21,618
Construction and Facility Improvements	142,399	757,225	398,425	398,425	+ 256,026	- 358,800
Mission Support Assets and Infrastructure	42,629	27,610	30,610	30,610	- 12,019	+ 3,000
Subtotal, Procurement, Construction, and Improvements	1,839,634	925,780	717,398	717,398	- 1,122,236	- 208,382
CBP Services at User Fee Facilities (Small Airport) (Permanent Indefinite Discretionary)	9,000	9,000	9,000	9,000		
Global Entry Program (International Registered Traveler (Permanent Indefinite Discretionary)	199,939	167,000	167,000	167,000	- 32,939	
Offsetting Collections	- 199,939	- 167,000	- 167,000	- 167,000	+ 32,939	
Total, Global Entry Program						
Fee Funded Programs:						
Immigration Inspection User Fee	(793,876)	(394,772)	(394,772)	(394,772)	(- 399,104)	
Immigration Enforcement Fines	(227)	(209)	(209)	(209)	(- 18)	
Electronic System for Travel Authorization (ESTA) Fee	(63,417)	(11,084)	(11,084)	(11,084)	(- 52,333)	
Land Border Inspection Fee	(59,364)	(36,018)	(36,018)	(36,018)	(- 23,346)	
COBRA Passenger Inspection Fee	(681,412)	(359,380)	(359,380)	(359,380)	(- 322,032)	
Agricultural Quarantine Inspection Fee	(582,187)	(633,104)	(633,104)	(633,104)	(- 49,083)	
Puerto Rico Trust Fund	(152,291)	(224,818)	(224,818)	(224,818)	(+ 72,527)	
Virgin Island Deposit Fund	(11,442)	(10,415)	(10,415)	(10,415)	(- 1,027)	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2022—Continued
(In thousands of dollars)

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Customs Unclaimed Goods	(3,690)	(1,671)	(1,671)	(-2,019)	.....
9-11 Response and Biometric Exit Account	(61,000)	(29,563)	(29,563)	(-31,437)	.....
Subtotal, Fee Funded Programs	2,408,906	1,601,034	1,601,034	-807,872	.....
Administrative Provisions					
Colombia Free Trade Act Collections	281,000	206,000	206,000	-75,000	.....
Reimbursable Preclearance	39,000	39,000	39,000	.....	.....
US Customs and Border Protection obligation of funds (Sec 233) .....	.....	50,000	.....	.....	-50,000
Subtotal, Administrative Provisions (Gross)	320,000	295,000	245,000	-75,000	-50,000
Reimbursable Preclearance (Offsetting Collections)	-39,000	-39,000	-39,000	.....	.....
Total, Administrative Provisions	281,000	256,000	206,000	-75,000	-50,000
Total, US Customs and Border Protection	15,038,557	14,617,589	14,537,933	-500,624	-79,656
(Discretionary Appropriations)	(15,277,496)	(14,823,589)	(14,743,933)	(-533,563)	(-79,656)
(Offsetting Collections)	(-238,939)	(-206,000)	(-206,000)	(+32,939)	.....
Fee Funded Programs	2,408,906	1,601,034	1,601,034	-807,872	.....
US Immigration and Customs Enforcement					
Operations and Support:					
Homeland Security Investigations	1,853,933	1,875,754	1,933,062	+79,129	+57,308
Domestic Investigations	186,626	192,384	192,384	+5,758	.....
International Investigations	98,171	99,587	101,407	+3,236	+1,820
Intelligence .....	.....	.....	.....	.....	.....

Subtotal, Homeland Security Investigations	2,138,730	2,167,725	2,226,853	+ 88,123	+ 59,128
Civil Immigration Enforcement Operations:					
Fugitive Operations	2,836,128	2,775,100	2,633,786	- 202,342	- 141,314
Criminal Alien Program	145,141	146,660	146,660	+ 1,519	.....
Priority Immigration Enforcement Operations	278,422	284,161	284,161	+ 5,739	.....
Alternatives to Detention	440,122	440,476	440,476	+ 354	.....
Transportation and Removal Program	419,089	420,031	420,031	+ 942	.....
Subtotal, Enforcement and Removal Operations	4,118,902	4,066,428	3,925,114	- 193,788	- 141,314
Mission Support:					
Mission Support	1,304,434	1,364,419	.....	- 1,304,434	- 1,364,419
Enterprise Services .....	.....	.....	1,131,895	+ 1,131,895	+ 1,131,895
Office of Professional Responsibility .....	.....	.....	196,891	+ 196,891	+ 196,891
Executive Leadership and Oversight .....	.....	.....	60,052	+ 60,052	+ 60,052
Subtotal, Mission Support	1,304,434	1,364,419	1,388,838	+ 84,404	+ 24,419
Office of the Principal Legal Advisor	313,664	341,214	341,214	+ 27,550	.....
Subtotal, Operations and Support	7,875,730	7,939,786	7,882,019	+ 6,289	- 57,767
Procurement, Construction, and Improvements:					
Operational Communications/Information Technology	21,478	21,000	21,000	- 478	.....
Construction and Facility Improvements	73,261	17,379	17,379	- 55,882	.....
Mission Support Assets and Infrastructure	3,060	13,321	13,321	+ 10,261	.....
Subtotal, Procurement, Construction, and Improvements	97,799	51,700	51,700	- 46,099	.....
Federal Assistance:					
Fee Funded Programs:					
Immigration Inspection User Fee	(135,000)	(135,000)	(135,000)	.....	.....
Breached Bond/Detention Fund	(55,000)	(55,000)	(55,000)	.....	.....
Student and Exchange Visitor Program Fee	(186,610)	(186,610)	(186,610)	.....	.....
Detention and Removal Office Fee	(3,000)	(3,000)	(3,000)	(+ 3,000)	.....
Subtotal, Fee Funded Programs	376,610	379,610	379,610	+ 3,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2022—Continued

[In thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Total, US Immigration and Customs Enforcement	7,973,529	7,991,486	7,933,719	-39,810	-57,767
(Discretionary Appropriations)	(7,973,529)	(7,991,486)	(7,933,719)	(-39,810)	(-57,767)
Fee Funded Programs	376,610	379,610	379,610	+3,000	.....
Transportation Security Administration					
Operations and Support:					
Aviation Screening Operations:					
Screening Workforce:					
Screening Partnership Program	226,406	231,068	231,068	+4,662	.....
Screener Personnel, Compensation, and Benefits	3,620,403	3,680,701	3,680,701	+60,298	.....
Screener Training and Other	235,859	247,053	247,053	+11,194	.....
Airport Management	651,622	721,038	721,038	+69,416	.....
Cannines	169,513	170,186	170,186	+673	.....
Screening Technology Maintenance	477,711	532,300	532,300	+54,589	.....
Secure Flight	116,333	127,085	127,085	+10,752	.....
Subtotal, Aviation Screening Operations	5,497,847	5,709,431	5,709,431	+211,584	.....
Other Operations and Enforcement:					
Inflight Security:					
Federal Air Marshals	764,643	754,069	754,069	-10,574	.....
Federal Flight Deck Officer and Crew Training	20,012	20,263	20,263	+251	.....
Aviation Regulation	238,468	246,416	246,416	+7,948	.....
Air Cargo	107,456	114,242	114,242	+6,786	.....
Intelligence and TSOC	76,497	83,554	83,554	+7,057	.....
Surface programs	142,203	146,723	146,723	+4,520	.....
Vetting Programs	44,917	40,052	40,052	-4,865	.....

Subtotal, Other Operations and Enforcement	1,394,196	1,405,319	1,405,319	+ 1,123
Mission Support	901,672	980,037	980,037	+ 78,365
Aviation Passenger Security Fees (offsetting collections)	- 2,940,000	- 2,110,000	- 2,110,000	+ 830,000
Subtotal, Operations and Support	4,853,715	5,984,787	5,984,787	+ 1,131,072
(Discretionary Appropriations)	(7,793,715)	(8,094,787)	(8,094,787)	(+ 301,072)
(Offsetting Collections)	(- 2,940,000)	(- 2,110,000)	(- 2,110,000)	(+ 830,000)
Vetting Fee Programs:				
Transportation Worker Identification Card	69,500	66,200	66,200	- 3,300
Hazardous Materials Endorsement Fee	19,200	19,200	19,200	
General Aviation at DCA Fee	600	600	600	
Commercial Aviation and Airports Fee	9,000	10,200	10,200	+ 1,200
Other Security Threat Assessments Fee	50	50	50	
Air Cargo/Certified Cargo Screening Program Fee	5,000	5,000	5,000	
TSA PreCheck Fee	250,614	249,500	249,500	- 1,114
Unallocated reduction based on CBO estimate of receipts		- 150,750	- 150,750	- 150,750
Subtotal, Vetting Fee Programs	353,964	200,000	200,000	- 153,964
Vetting Fees (offsetting collections)	- 353,964	- 200,000	- 200,000	+ 153,964
Procurement, Construction, and Improvements:				
Aviation Screening Infrastructure	100,000	104,492	104,492	+ 4,492
Checkpoint Support	34,492	30,000	30,000	- 4,492
Checked Baggage				
Subtotal, Procurement, Construction, and Improvements	134,492	134,492	134,492	
Research and Development Fee Funded Program:				
Alien Flight School Fee	29,524	35,532	35,532	+ 6,008
Aviation Security Capital Fund (Mandatory)	(5,500)	(6,000)	(6,000)	(+ 500)
Total, Transportation Security Administration	5,017,731	6,154,811	6,154,811	+ 1,137,080
(Discretionary Appropriations)	(8,311,695)	(8,464,811)	(8,464,811)	(+ 153,116)
(Offsetting Collections)	(- 3,293,964)	(- 2,310,000)	(- 2,310,000)	(+ 983,964)
Aviation Security Capital Fund (Mandatory)	250,000	250,000	250,000	
Fee Funded Programs	5,500	6,000	6,000	+ 500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2022—Continued

(In thousands of dollars)

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Operations and Support:					
Coast Guard					
Military Pay and Allowances	4,166,873	.....	.....	-4,166,873	.....
Civilian Pay and Benefits	1,090,590	.....	.....	-1,090,590	.....
Training and Recruiting	237,284	.....	.....	-237,284	.....
Operating Funds and Unit Level Maintenance	993,465	.....	.....	-993,465	.....
Centrally Managed Accounts	104,451	.....	.....	-104,451	.....
Intermediate and Depot Level Maintenance	1,740,704	.....	.....	-1,740,704	.....
Reserve Training	130,593	.....	.....	-130,593	.....
Environmental Compliance and Restoration	21,186	.....	.....	-21,186	.....
Military Personnel .....	.....	4,760,155	4,791,355	+4,791,355	+31,200
Mission Support .....	.....	405,662	409,662	+4,09,662	+4,000
Field Operations:					
Surface, Air, and Shore Operations .....	.....	2,792,954	2,803,004	+2,803,004	+10,050
Command, Control, and Communications .....	.....	1,061,999	1,061,999	+1,061,999	.....
Subtotal, Field Operations .....	.....	3,854,953	3,865,003	+3,865,003	+10,050
Subtotal, Operations and Support	8,485,146	9,020,770	9,066,020	+580,874	+45,250
(Non-Defense)	(7,955,146)	(8,490,770)	(8,536,020)	(+580,874)	(+45,250)
(Defense)	(530,000)	(530,000)	(530,000)	.....	.....
Procurement, Construction, and Improvements:					
Vessels:					
Survey and Design—Vessels and Boats	6,000	2,500	2,500	-3,500	.....
In-Service Vessel Sustainment	82,600	87,750	87,750	+5,150	.....
National Security Cutter	31,000	78,000	78,000	+47,000	.....
Offshore Patrol Cutter	546,000	597,000	597,000	+51,000	.....
Fast Response Cutter	260,000	20,000	20,000	-240,000	.....
Cutter Boats	9,300	7,000	7,000	-2,300	.....

Polar Security Cutter	555,000	170,000	50,000	-505,000	-120,000
Waterways Commerce Cutter	25,000	67,000	67,000	+42,000	.....
Polar Sustainment	15,000	15,000	15,000	.....	.....
Subtotal, Vessels	1,529,900	1,044,250	924,250	-605,650	-120,000
HC-144 Conversion/Sustainment	14,000	.....	.....	-14,000	.....
HC-271 Conversion/Sustainment	64,000	66,500	66,500	+2,500	.....
HC-130J Acquisition/Conversion/Sustainment	120,000	20,000	20,000	-100,000	.....
HH-65 Conversion/Sustainment Projects	45,000	32,000	32,000	-13,000	.....
MH-60T Sustainment	68,000	102,800	200,800	+132,800	+98,000
Small Unmanned Aircraft Systems	600	500	500	-100	.....
Subtotal, Aircraft	311,600	221,800	319,800	+8,200	+98,000
Other Acquisition Programs:					
Other Equipment and Systems	3,500	8,000	8,000	+4,500	.....
Program Oversight and Management	20,000	20,000	20,000	.....	.....
C4ISR	15,260	18,000	18,000	+2,740	.....
CG-Logistics Information Management System (CG-LIMS)	1,100	25,900	25,900	+24,800	.....
Cyber and Enterprise Mission Platform	19,500	21,500	21,500	+2,000	.....
Subtotal, Other Acquisition Programs	59,360	93,400	93,400	+34,040	.....
Shore Facilities and Aids to Navigation:					
Major Construction; Housing; ATON; and Survey and Design	266,350	199,650	219,150	-47,200	+19,500
Major Acquisition Systems Infrastructure	91,831	75,000	150,000	+58,169	+75,000
Minor Shore	5,000	5,000	5,000	.....	.....
Subtotal, Shore Facilities and Aids to Navigation	363,181	279,650	374,150	+10,969	+94,500
Subtotal, Procurement, Construction, and Improvements	2,264,041	1,639,100	1,711,600	-552,441	+72,500
Research and Development	10,276	7,476	7,476	-2,800	.....
Health Care Fund Contribution (Permanent Indefinite Discretionary)	215,787	240,577	240,577	+24,790	.....
Retired Pay (Mandatory)	1,869,704	1,963,519	1,963,519	+93,815	.....
Administrative Provisions					
Coast Guard Housing Fund (Sec 230)	4,000	4,000	4,000	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2022—Continued
[In thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Coast Guard Housing Fund Offsetting Collections	-4,000	-4,000	-4,000	.....	.....
Coast Guard Museum .....	.....	.....	50,000	+ 50,000	+ 50,000
Total, Coast Guard	12,844,954	12,871,442	13,039,192	+ 194,238	+ 167,750
(Discretionary Appropriations)	(10,979,250)	(10,911,923)	(11,079,673)	(+ 100,423)	(+ 167,750)
(Defense)	(530,000)	(530,000)	(530,000)	.....	.....
(Non-Defense)	(10,449,250)	(10,381,923)	(10,549,673)	(+ 100,423)	(+ 167,750)
(Offsetting Collections)	(-4,000)	(-4,000)	(-4,000)	.....	.....
(Mandatory Funding)	(1,869,704)	(1,963,519)	(1,963,519)	(+ 93,815)	.....
United States Secret Service .....	.....	.....	.....	.....	.....
Operations and Support:	.....	.....	.....	.....	.....
Protective Operations:	.....	.....	.....	.....	.....
Protection of Persons and Facilities	818,795	848,996	848,996	+ 30,201	.....
Protective Countermeasures	68,182	87,762	87,762	+ 19,580	.....
Protective Intelligence	52,155	74,167	74,167	+ 22,012	.....
Presidential Campaigns and National Special Security Events	83,725	19,000	19,000	- 64,725	.....
Subtotal, Protective Operations	1,022,857	1,029,925	1,029,925	+ 7,068	.....
Field Operations:	.....	.....	.....	.....	.....
Domestic and International Field Operations	686,583	705,391	705,391	+ 18,808	.....
Support for Missing and Exploited Children Investigations	6,000	6,000	6,000	.....	.....
Support for Computer Forensics Training	34,377	37,160	42,930	+ 8,553	+ 5,770
Subtotal, Field Operations	726,960	748,551	754,321	+ 27,361	+ 5,770
Basic and In-Service Training and Professional Development	114,733	137,731	137,731	+ 22,998	.....

Mission Support	508,559	598,551	598,551	+ 89,992	.....
Subtotal, Operations and Support	2,373,109	2,514,758	2,520,528	+ 147,419	+ 5,770
Procurement, Construction, and Improvements:					
Protection Assets and Infrastructure	51,955	41,791	41,791	- 10,164	.....
Operational Communications/Information Technology	1,000	3,158	3,158	+ 3,158	.....
Construction and Facility Improvements		9,900	9,900	+ 8,900	.....
Subtotal, Procurement, Construction, and Improvements	52,955	54,849	54,849	+ 1,894	.....
Research and Development	11,937	2,310	2,310	- 9,627	.....
Total, United States Secret Service	2,438,001	2,571,917	2,577,687	+ 139,686	+ 5,770
Total, Title II, Security, Enforcement, and Investigations	43,312,772	44,207,245	44,243,342	+ 930,570	+ 36,097
(Discretionary Appropriations)	(44,979,971)	(44,763,726)	(44,799,823)	(- 180,148)	(+ 36,097)
(Non-Defense)	(44,449,971)	(44,233,726)	(44,269,823)	(- 180,148)	(+ 36,097)
(Defense)	(530,000)	(530,000)	(530,000)	.....	.....
(Offsetting Collections)	(- 3,536,903)	(- 2,520,000)	(- 2,520,000)	(+ 1,016,903)	.....
(Mandatory Funding)	(1,869,704)	(1,963,519)	(1,963,519)	(+ 93,815)	.....
Aviation Security Capital Fund (Mandatory)	250,000	250,000	250,000	.....	.....
Fee Funded Programs	2,791,016	1,986,644	1,986,644	- 804,372	.....
TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
Cybersecurity and Infrastructure Security Agency					
Operations and Support:					
Cybersecurity:					
Cyber Operations:					
Strategy and Performance	3,295	14,972	14,972	+ 11,677	.....
Threat Hunting	160,451	158,883	278,432	+ 117,981	+ 119,549
Vulnerability Management	145,053	144,537	208,659	+ 63,606	+ 64,122
Capacity Building	121,744	124,951	138,601	+ 16,857	+ 13,650
Operational Planning and Coordination	69,746	79,899	118,638	+ 48,892	+ 38,739
Subtotal, Cyber Operations	500,289	523,242	759,302	+ 259,013	+ 236,060
Technology and Services:					
Cybersecurity Services	7,790	7,069	7,069	- 721	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2022—Continued
(In thousands of dollars)

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Continuous Diagnostics and Mitigation	110,647	65,380	65,380	-45,267	.....
National Cybersecurity Protection System	300,188	317,370	317,370	+17,182	.....
Subtotal, Technology and Services	418,625	389,819	389,819	-28,806	.....
Subtotal, Cybersecurity	918,914	913,061	1,149,121	+230,207	+236,060
Infrastructure Security:					
Infrastructure Assessments and Security:					
Strategy and Performance	4,353	8,459	14,959	+10,606	+6,500
Security Programs	24,634	26,068	26,068	+1,434	.....
CISA Exercises	14,693	16,681	22,292	+7,599	+5,611
Assessments and Infrastructure Information	45,294	44,658	44,658	-636	.....
Bombing Prevention	23,932	26,474	39,600	+15,668	+13,126
Subtotal, Infrastructure Assessments and Security	112,906	122,340	147,577	+34,671	+25,237
Chemical Security	44,304	44,907	44,907	+603	.....
Subtotal, Infrastructure Security	157,210	167,247	192,484	+35,274	+25,237
Emergency Communications:					
Emergency Communications Preparedness	51,262	52,175	97,775	+46,513	+45,600
Priority Telecommunications Service:					
GETS/WPS/SRAS/TSP	56,313	56,443	56,443	+130	.....
Next Generation Networks Priority Services	8,482	8,581	8,581	+99	.....
Subtotal, Priority Telecommunications Services	64,795	65,024	65,024	+229	.....

Subtotal, Emergency Communications	116,057	117,199	162,799	46,742	+ 45,600
Integrated Operations:					
Regional Operations:					
Coordination and Service Delivery	7,434	16,457	20,104	+12,670	+ 3,647
Security Advisors	66,020	54,686	67,814	+1,794	+13,128
Chemical Inspectors	30,445	31,746	31,746	+1,301	
Subtotal, Regional Operations	103,899	102,889	119,664	+15,765	+ 16,775
Operations Coordination and Planning:					
Intelligence	4,577	4,751	4,751	+174	
Operations Center	59,835	61,707	61,707	+1,872	
Planning and Readiness	1,715	7,452	7,452	+5,737	
Business Continuity and Emergency Preparedness	6,278	3,531	3,531	-2,747	
Subtotal, Operations Coordination and Planning	72,405	77,441	77,441	+5,036	
Subtotal, Integrated Operations	176,304	180,330	197,105	+20,801	+ 16,775
Risk Management Operations:					
National Infrastructure Simulation Analysis Center	22,793	28,293	33,293	+10,500	+ 5,000
Infrastructure Analysis	84,483	85,635	119,835	+35,352	+ 34,200
Subtotal, Risk Management Operations	107,276	113,928	153,128	+45,852	+ 39,200
Stakeholder Engagement and Requirements:					
Sector Specific Agency Management	17,654	18,187	18,187	+533	
Council Management	7,891	9,410	12,303	+4,412	+2,893
Stakeholder Engagement	18,543	24,219	36,169	+17,626	+11,950
International Affairs	1,637	6,364	6,364	+4,727	
(Defense)	(1,080)	(4,200)	(4,200)	(+3,120)	
Subtotal, Stakeholder Engagement and Requirements	45,725	58,180	73,023	+27,298	+ 14,843
Mission Support:					
Management and Business Activities	107,515	103,900	104,749	-2,766	+ 849
(Defense)	(46,984)	(45,404)	(45,775)	(-1,209)	(+ 371)
External Affairs	7,245	16,277	16,277	+9,032	
(Defense)	(3,166)	(7,113)	(7,113)	(+3,947)	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2022—Continued
 [in thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Privacy	2,792	3,213	3,213	+421	.....
(Defense)	(1,220)	(1,404)	(1,404)	(+ 184)	.....
Strategy, Policy, and Plans	11,174	5,644	13,144	+ 1,970	+ 7,500
(Defense)	(7,375)	(3,725)	(8,675)	(+ 1,300)	(+ 4,950)
Chief Technology Officer	10,125	10,525	10,525	+ 400	.....
(Defense)	(4,425)	(4,599)	(4,599)	(+ 174)	.....
National Services Support Facility Management	1,729	2,017	2,017	+ 288	.....
(Defense)	(756)	(881)	(881)	(+ 125)	.....
Subtotal, Mission Support	140,580	141,576	149,925	+ 9,345	+ 8,349
Subtotal, Operations and Support	1,662,066	1,691,521	2,077,585	+ 415,519	+ 386,064
Procurement, Construction, and Improvements:					
Cybersecurity					
Continuous Diagnostics and Mitigation	214,350	260,027	297,410	+ 83,060	+ 37,383
National Cybersecurity Protection System	91,170	90,193	90,193	-977	.....
Subtotal, Cybersecurity	305,520	350,220	387,603	+ 82,083	+ 37,383
Emergency Communications:					
Next Generation Networks Priority Services	41,158	61,158	136,158	+ 95,000	+ 75,000
Infrastructure Security:					
CISA Gateway	6,801	6,801	6,801	.....	.....
Subtotal, Procurement, Construction, and Improvements	353,479	418,179	530,562	+ 177,083	+ 112,383
Research and Development:					
Infrastructure Security	1,216	1,216	7,216	+ 6,000	+ 6,000

Risk Management	8,215	2,715	2,715	-5,500	.....
Subtotal, Research and Development	9,431	3,931	9,931	+500	+6,000
Cyber Response and Recovery Fund .....	.....	20,000	20,000	+20,000	.....
Total, Cybersecurity and Infrastructure Security Agency	2,024,976	2,133,631	2,638,078	+613,102	+504,447
(Defense)	(1,941,487)	(2,049,486)	(2,550,905)	(+609,418)	(+501,419)
(Non-Defense)	(83,489)	(84,145)	(87,173)	(+3,684)	(+3,028)
Federal Emergency Management Agency					
Operations and Support:					
Regional Operations	174,804	187,881	194,319	+19,515	+6,438
Mitigation	43,038	61,663	61,663	+18,625	.....
Preparedness and Protection	155,213	187,036	187,036	+31,823	.....
Response and Recovery:					
Response	196,155	203,611	203,611	+7,456	.....
(Urban Search and Rescue)	(37,832)	(37,832)	(37,382)	(-450)	(-450)
Recovery	51,670	55,408	55,408	+3,738	.....
Mission Support	508,402	536,563	689,084	+180,682	+152,521
Subtotal, Operations and Support	1,129,282	1,232,162	1,391,121	+261,839	+158,959
(Defense)	(55,348)	(55,810)	(55,810)	(+462)	.....
Procurement, Construction, and Improvements:					
Operational Communications/Information Technology	11,862	16,785	19,785	+7,923	+3,000
Construction and Facility Improvements	47,598	111,210	111,210	+63,612	.....
Mission Support Assets and Infrastructure	46,525	60,217	60,217	+13,692	.....
Subtotal, Procurement, Construction, and Improvements	105,985	188,212	191,212	+85,227	+3,000
(Defense)	(25,740)	(51,285)	(51,285)	(+25,545)	.....
Federal Assistance:					
Grants:					
State Homeland Security Grant Program	610,000	594,686	610,000	.....	+15,314
(Operation Stonegarden)	(90,000)	.....	(90,000)	.....	(+90,000)
(Tribal Security)	(15,000)	.....	(15,000)	.....	(+15,000)
(Nonprofit Security)	(90,000)	.....	(90,000)	.....	(+90,000)
Urban Area Security Initiative	705,000	689,684	705,000	.....	+15,316
(Nonprofit Security)	(90,000)	.....	(90,000)	.....	(+90,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2022—Continued
(In thousands of dollars)

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Public Transportation Security Assistance	100,000	100,000	100,000	.....	.....
(Amtrak Security)	(10,000)	.....	(10,000)	.....	(+ 10,000)
(Over-the-Road Bus Security)	(2,000)	.....	(2,000)	.....	(+ 2,000)
Port Security Grants	100,000	100,000	100,000	.....	.....
Assistance to Firefighter Grants	360,000	370,000	370,000	+ 10,000	.....
Staffing for Adequate Fire and Emergency Response (SAFER) Grants	360,000	370,000	370,000	+ 10,000	.....
Emergency Management Performance Grants	355,000	355,000	355,000	.....	.....
Flood Hazard Mapping and Risk Analysis Program	263,000	275,500	275,500	+ 12,500	.....
Regional Catastrophic Preparedness Grants	12,000	12,000	12,000	.....	.....
High Hazard Potential Dams	12,000	12,000	12,000	.....	.....
Emergency Food and Shelter	130,000	130,000	130,000	.....	.....
Congressionally Directed Spending .....	.....	.....	63,504	+ 63,504	+ 63,504
STORM Act .....	.....	.....	100,000	+ 100,000	+ 100,000
Subtotal, Grants	3,007,000	3,008,870	3,203,004	+ 196,004	+ 194,134
Targeted Violence and Terrorism Prevention Grants (by transfer)	(20,000)	(20,000)	(20,000)	.....	.....
Alternatives to Detention Case Management Pilot Grants (by transfer)	(5,000)	(5,000)	.....	(- 5,000)	(- 5,000)
Subtotal, Grants (with transfers)	3,032,000	3,033,870	3,223,004	+ 191,004	+ 189,134
Education, Training, and Exercises:					
Center for Domestic Preparedness	67,019	67,538	67,538	+ 519	.....
Center for Homeland Defense and Security	18,000	18,000	18,000	.....	.....
Emergency Management Institute	21,520	22,030	22,030	+ 510	.....
US Fire Administration	49,269	53,212	53,212	+ 3,943	.....
National Domestic Preparedness Consortium	101,000	101,000	101,000	.....	.....
Continuing Training Grants	12,000	12,000	12,000	.....	.....
National Exercise Program	19,084	19,820	19,820	+ 736	.....

Subtotal, Education, Training, and Exercises	287,892	293,600	293,600	+ 5,708	.....
Subtotal, Federal Assistance	3,294,892	3,302,470	3,496,604	+ 201,712	+ 194,134
(by transfer)	(25,000)	(25,000)	(20,000)	(- 5,000)	(- 5,000)
Subtotal, Federal Assistance (with transfer)	3,319,892	3,327,470	3,516,604	+ 196,712	+ 189,134
Disaster Relief Fund:					
Disaster Relief Climate	17,142,000	500,000	.....	.....	- 500,000
Disaster Relief Category	18,799,000	18,799,000	18,799,000	+ 1,657,000	.....
Subtotal, Disaster Relief Fund	17,142,000	19,299,000	18,799,000	+ 1,657,000	- 500,000
National Flood Insurance Fund:					
Floodplain Management and Mapping	190,506	199,000	199,000	+ 8,494	.....
Unallocated reduction based on CBO estimate of receipts	13,906	- 10,706	.....	.....	+ 10,706
Mission Support .....	.....	15,706	15,706	+ 1,800	.....
Subtotal, National Flood Insurance Fund	204,412	204,000	214,706	+ 10,294	+ 10,706
Offsetting Fee Collections	- 204,412	- 204,000	- 214,706	- 10,294	- 10,706
Radiological Emergency Preparedness Program:					
Administrative Provision	34,000	33,630	33,630	- 370	.....
Operating Expenses	- 34,000	- 33,630	- 33,630	+ 370	.....
Offsetting Collections .....	.....	.....	.....	.....	.....
Subtotal, Administrative Provision .....	.....	.....	.....	.....	.....
Total, Federal Emergency Management Agency	21,672,159	24,021,844	23,877,937	+ 2,205,778	- 143,907
(Defense)	(21,910,571)	(24,259,474)	(24,126,273)	(+ 2,215,702)	(- 133,201)
(Non-Defense)	(81,088)	(107,095)	(107,095)	(+ 26,007)	.....
(Disaster Relief Category)	(21,829,483)	(24,152,379)	(24,019,178)	(+ 2,189,695)	(- 133,201)
(Regular appropriations, not Disaster Relief)	(17,142,000)	(18,799,000)	(18,799,000)	(+ 1,657,000)	.....
(Offsetting Collections)	(4,687,483)	(5,353,379)	(5,220,178)	(+ 532,695)	(- 133,201)
(By transfer)	(- 238,412)	(- 237,630)	(- 248,336)	(- 9,924)	(- 10,706)
.....	(25,000)	(25,000)	(20,000)	(- 5,000)	(- 5,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2022—Continued
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Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Total, Title III, Protection, Preparedness, Response, and Recovery	23,697,135	26,155,475	26,516,015	+ 2,818,880	+ 360,540
(Discretionary Appropriations)	(23,935,547)	(26,393,105)	(26,764,351)	(+ 2,828,804)	(+ 371,246)
(Defense)	(2,022,575)	(2,156,581)	(2,658,000)	(+ 635,425)	(+ 501,419)
(Non-Defense)	(21,912,972)	(24,236,524)	(24,106,351)	(+ 2,193,379)	(- 130,173)
(Disaster Relief Category)	(17,142,000)	(18,799,000)	(18,799,000)	(+ 1,657,000)	.....
(Regular Appropriations, not Disaster Relief)	(4,770,972)	(5,437,524)	(5,307,351)	(+ 536,379)	(- 130,173)
(Offsetting Collections)	(- 238,412)	(- 237,630)	(- 248,336)	(- 9,924)	(- 10,706)
(By transfer)	(25,000)	(25,000)	(20,000)	(- 5,000)	(- 5,000)
TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES					
US Citizenship and Immigration Services					
Operations and Support:					
Employment Status Verification	117,790	114,504	114,504	- 3,286	.....
Application Processing .....	.....	345,000	345,000	+ 345,000	.....
Subtotal, Operations and Support	117,790	459,504	459,504	+ 341,714	.....
Federal Assistance	10,000	10,000	20,000	+ 10,000	+ 10,000
Fee Funded Programs:					
Immigration Examinations Fee Account:					
Adjudication Services:					
District Operations	(2,044,162)	(1,616,237)	(1,910,749)	(- 133,413)	(+ 294,512)
Service Center Operations	(826,737)	(625,778)	(718,990)	(- 107,747)	(+ 93,212)
Asylum, Refugee, and International Operations	(372,392)	(278,594)	(370,765)	(- 1,627)	(+ 92,171)
Records Operations	(157,271)	(115,518)	(136,449)	(- 20,822)	(+ 20,931)
Premium Processing (including Transformation)	(666,725)	(1,014,791)	(792,602)	(+ 125,877)	(- 222,189)
Subtotal, Adjudication Services	(4,067,287)	(3,650,918)	(3,929,555)	(- 137,732)	(+ 278,637)

Information and Customer Services:									
Operating Expenses	(125,452)	(75,131)	(108,860)	(-16,592)	(+33,729)				
Administration:									
Operating Expenses	(632,106)	(462,782)	(571,016)	(-61,090)	(+108,234)				
Systematic Alien Verification for Entitlements (SAVE)	(37,139)	(30,913)	(41,314)	(+4,175)	(+10,401)				
Subtotal, Immigration Examinations Fee Account	(4,861,984)	(4,219,744)	(4,650,745)	(-211,239)	(+431,001)				
HI-B Non-Immigrant Petitioner Account:									
Adjudication Services:									
Service Center Operations	(20,000)	(20,309)	(20,000)		(-309)				
Fraud Prevention and Detection Account:									
Adjudication Services:									
District Operations	(28,703)	(38,975)	(29,226)	(+523)	(-9,749)				
Service Center Operations	(20,878)	(12,132)	(21,141)	(+263)	(+9,009)				
Asylum and Refugee Operating Expenses	(308)	(120)	(308)		(+188)				
Subtotal, Fraud Prevention and Detection Account	(49,889)	(51,227)	(50,675)	(+786)	(-552)				
Subtotal, Fee Funded Programs	(4,931,873)	(4,291,280)	(4,721,420)	(-210,453)	(+430,140)				
Administrative Provisions									
House full committee amendment (Pingree, et al) H-2B returning worker (Change in Mandatory Program)			7,000	+7,000	+7,000				
Unused Visa Rollover Provision (Change in Mandatory Program)			1,000	+1,000	+1,000				
Subtotal, Administrative Provisions			8,000	+8,000	+8,000				
Total, US Citizenship and Immigration Services	127,790	469,504	487,504	+359,714	+18,000				
(Discretionary Appropriations)	(127,790)	(469,504)	(479,504)	(+351,714)	(+10,000)				
(Changes in Mandatory Programs)			(8,000)	(+8,000)	(+8,000)				
Fee Funded Programs	4,931,873	4,291,280	4,721,420	-210,453	+430,140				
Federal Law Enforcement Training Centers									
Operations and Support:									
Law Enforcement Training	284,392	291,578	291,578	+7,186					
Mission Support	29,956	30,858	30,858	+902					
Subtotal, Operations and Support	314,348	322,436	322,436	+8,088					

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Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Procurement, Construction, and Improvements:					
Construction and Facility Improvements	26,000	33,200	33,200	+7,200	.....
Total, Federal Law Enforcement Training Centers	340,348	355,636	355,636	+15,288	.....
Science and Technology					
Operations and Support:					
Laboratory Facilities	122,816	123,691	123,691	+875	.....
Acquisition and Operations Analysis	57,296	52,933	67,933	+10,637	+15,000
Mission Support	122,591	133,966	133,966	+11,375	.....
Subtotal, Operations and Support	302,703	310,590	325,590	+22,887	+15,000
Procurement, Construction, and Improvements:					
Laboratory Facilities	18,927	8,859	12,859	-6,068	+4,000
Research and Development:					
Research, Development, and Innovation	399,417	452,417	467,417	+68,000	+15,000
University Programs	44,511	51,037	63,037	+18,526	+12,000
Subtotal, Research and Development	443,928	503,454	530,454	+86,526	+27,000
Total, Science and Technology	765,558	822,903	868,903	+103,345	+46,000
Countering Weapons of Mass Destruction Office					
Operations and Support:					
Mission Support	82,927	85,316	85,316	+2,389	.....
Capability and Operations Support	96,965	71,884	86,434	-10,531	+14,550
Subtotal, Operations and Support	179,892	157,200	171,750	-8,142	+14,550

Procurement, Construction, and Improvements:						
Large Scale Detection Systems	60,798	53,667	53,667	53,667	-7,131	
Portable Detection Systems	26,615	14,937	14,937	14,937	-11,678	
Assets and Infrastructure Acquisition		3,000	3,000	3,000	+3,000	
Subtotal, Procurement, Construction, and Improvements	87,413	71,604	71,604	71,604	-15,809	
Research and Development:						
Transformational R&D/Technical Forensics:						
Transformational R&D	23,892	31,378	31,378	31,378	+7,486	
Technical Forensics	7,100	3,500	3,500	3,500	-3,600	
Subtotal, Transformational R&D/Technical Forensics	30,992	34,878	34,878	34,878	+3,886	
Detection Capability Development and Rapid Capabilities:						
Detection Capability Development	24,317	30,831	30,831	30,831	+6,514	
Rapid Capabilities	10,000				-10,000	
Subtotal, Detection Capability Development and Rapid Capabilities	34,317	30,831	30,831	30,831	-3,486	
Subtotal, Research and Development	65,309	65,709	65,709	65,709	+400	
Federal Assistance:						
Capability Building:						
Training, Exercises, and Readiness	14,470	19,251	19,251	19,251	+4,781	
Securing the Cities	24,640	30,040	30,040	30,040	+5,400	
Biological Support	30,553	83,657	83,657	83,657	+53,104	
Subtotal, Capability Building	69,663	132,948	132,948	132,948	+63,285	
Subtotal, Federal Assistance	69,663	132,948	132,948	132,948	+63,285	
Total, Countering Weapons of Mass Destruction	402,277	427,461	442,011	442,011	+39,734	+14,550
Total, Title IV, Research and Development, Training, and Services	1,635,973	2,075,504	2,154,054	2,154,054	+518,081	+78,550
(Discretionary Appropriations)	(1,635,973)	(2,075,504)	(2,146,054)	(2,146,054)	(+510,081)	(+70,550)
(Changes in Mandatory Programs)			(8,000)	(8,000)	(+8,000)	(+8,000)
Fee Funded Programs	4,931,873	4,291,280	4,721,420	4,721,420	-210,453	+430,140

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(In thousands of dollars)

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
TITLE V—GENERAL PROVISIONS					
Presidential Residence Protection Assistance (Sec 526)	12,700		3,000	-9,700	+3,000
Reappropriation (Sec 535)					
OSEM O&S (70 x 0100)(rescission)		-22	-22	-22	
MGMT (70 x 0112) (rescission)		-2	-2	-2	
MGMT (70 x 0113) (rescission)		-12,629	-12,629	-12,629	
OBIM (70 x 0521) (rescission)					
Coast Guard RDT&E (PL 115-141) (FY18) (rescission)	-1,718			+1,718	
USCIS Procurement, Construction, and Improvements (PL 116-6) (rescission)	-8,200			+8,200	
CBP PC&I Electronic Health Records (PL 116-93) (FY20) (transfer out) (emergency) (Sec 534)	(-20,000)			(+20,000)	
CBP PC&I (FY18) (PL 115-141) (rescission)	-27,036			+27,036	
CBP PC&I (rescission)		-1,900,000	-1,893,663	-1,893,663	+6,337
CBP Construction (70 x 0532) (rescission)	-6,000			+6,000	
CBP (BSFT) (70 x 0533) (rescission)	-15,000	-24,339	-24,339	-9,339	
CBP PC&I (PL 116-260) (FY21) (rescission)		-10,000	-10,000	-10,000	
CBP PC&I (70 x 0532) (rescission)		-6,161	-6,161	-6,161	
CBP Construction and Facility Improvements (PL 115-141)(FY18) (rescission)		-4,500	-4,500	-4,500	
CBP O&S (70 x 0530) (rescission)		-7	-7	-7	
ICE Construction and Facilities Management (070 X 0545) (rescission)	-3,098			+3,098	
ICE Automation Modernization (070 X 0543) (rescission)	-658			+658	
ICE, Border and Transportation Security, INS (70 x 0504)(rescission)		-8	-8	-8	
ICE, Violent Crime Reduction Program (70 x 8598) (rescission)		-1	-1	-1	
TSA, Expenses (70 x 0508) (rescission)		-7	-7	-7	
TSA, Federal Air Marshals (70 x 0541) (rescission)		-11	-11	-11	
TSA, Intelligence and Vetting (70 x 0557) (rescission)		-5,308	-5,308	-5,308	
TSA, Transportation Security Support (70 x 0554) (rescission)		-322	-322	-322	
Coast Guard PC&I (PL 116-93) (rescission)		-65,000	-65,000	-65,000	
CISA, Operating Expenses (70 x 0900) (rescission)		-458	-458	-458	
FEMA State and Local Programs (70 x 0560)(rescission)		-200	-200	-200	

FEMA Administrative and Regional Operations, Emergency Preparedness and Response (70 x 0712) (rescission)	-2	-2	-2	-2	-2	-2
FEMA State and Local Programs (rescission)	-115	-115	-115	-115	-115	-115
FEMA Disaster Mitigation Fund (70 x 0716) (rescission)	-3,000	-3,000	-3,000	-3,000	-3,000	-3,000
USCIS (rescission)	-1,244	-1,244	-1,244	-1,244	-1,244	-1,244
CWMD PC&I (by transfer) (emergency) (Sec 534)	(20,000)					+25,000
Department of State appropriations (Sec 538)		25,000				
DHS Lapsed Balances (non-defense) (rescission)	-16,053					+16,053
DHS Lapsed Balances (defense) (rescission)	-1,575					+1,575
CBP OFO Fee Shortfall (emergency) (Sec 541)	840,000					-840,000
CWMD, Research and Development (70 x 0860) (rescission)	-351	-351	-351	-351	-351	-351
Total, Title V, General Provisions	773,362	-2,033,687	-1,999,350	-2,772,712	-2,772,712	+34,337
(Discretionary Appropriations)	(12,700)		(28,000)			(+28,000)
(Emergency Funding)	(840,000)					(-840,000)
(Rescissions)	(-79,338)	(-2,033,687)	(-2,027,350)	(-1,948,012)	(-1,948,012)	(+6,337)
(Defense)	(-1,575)					(+1,575)
(Non-Defense)	(-77,763)	(-2,033,687)	(-2,027,350)	(-1,949,587)	(-1,949,587)	(+6,337)
(By transfer) (Emergency)	20,000					-20,000
(Transfer out) (Emergency)	-20,000					+20,000
OTHER APPROPRIATIONS						
EXTENDING GOVERNMENT FUNDING AND DELIVERING EMERGENCY ASSISTANCE ACT, 2021 (PL 117-43)						
DIVISION B—DISASTER RELIEF SUPPLEMENTAL APPROPRIATIONS ACT, 2022						
TITLE VI						
DEPARTMENT OF HOMELAND SECURITY						
Federal Emergency Management Agency			50,000		+50,000	+50,000
General Provisions—This Title						
Sec. 1601(b) (disaster category).						
Total, title VI			50,000		+50,000	+50,000
DIVISION C—AFGHANISTAN SUPPLEMENTAL APPROPRIATIONS ACT, 2022						
TITLE V						
General Provisions—This Act						
USIC Immigration Examination Fee Account (Sec 2501) (emergency)			193,000		+193,000	+193,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2021 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2022—Continued
 [in thousands of dollars]

Item	2021 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2021 appropriation	Budget estimate
Afghan refugee resettlement (Sec 2502) (emergency)			344,000	+ 344,000	+ 344,000
Total, title V			537,000	+ 537,000	+ 537,000
Total, Other Appropriations			587,000	+ 587,000	+ 587,000
Grand Total	71,726,704	73,230,187	74,273,519	+ 2,546,815	+ 1,043,332
(Discretionary Appropriations)	(74,460,401)	(77,682,985)	(78,135,686)	(+ 3,675,285)	(+ 452,701)
(Defense)	(2,552,575)	(2,695,581)	(3,197,000)	(+ 644,425)	(+ 501,419)
(Non-Defense)	(71,907,826)	(74,987,404)	(74,946,686)	(+ 3,038,860)	(- 40,718)
(Disaster Relief Category)	(17,142,000)	(18,799,000)	(18,799,000)	(+ 1,657,000)	
(Other Non-Defense)	(54,765,826)	(56,188,404)	(56,139,686)	(+ 1,373,860)	(- 48,718)
(Rescissions)(Defense)	(- 1,575)			(+ 1,575)	
(Rescissions) (Non-defense)	(- 77,763)	(- 2,033,687)	(- 2,027,350)	(- 1,949,587)	(+ 6,337)
(Offsetting Collections)	(- 5,364,063)	(- 4,382,630)	(- 4,393,336)	(+ 970,727)	(- 10,706)
(Emergency Appropriations)	(840,000)		(587,000)	(- 253,000)	(+ 587,000)
(Mandatory Funding)	(1,869,704)	(1,963,519)	(1,963,519)	(+ 93,815)	
(By transfer)	25,000	25,000	20,000	- 5,000	- 5,000
(By transfer) (emergency)	20,000			- 20,000	
(Transfer out)	- 25,000	- 25,000	- 20,000	+ 5,000	+ 5,000
(Transfer out) (emergency)	- 20,000			+ 20,000	
Aviation Security Capital Fund	250,000	250,000	250,000		
Fee Funded Programs	7,722,889	6,277,924	6,708,064	- 1,014,825	+ 430,140