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SENATE

{ REPORT
114-000

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS
BILL, 2017

MAY 00, 2016.—Ordered to be printed

Mr. HOEVEN, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 0000]

The Committee on Appropriations reports the bill (S. 0000) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Total obligatory authority, fiscal year 2017

Total of bill as reported to the Senate ^{1 2 3 6}	\$49,739,632,000
Amount of 2016 appropriations ^{4 5}	49,431,955,000
Amount of 2017 budget estimate ^{1 2 6}	48,999,303,000
Bill as recommended to Senate compared to—	
2016 appropriations	+ 307,677,000

Total obligational authority, fiscal year 2017—Continued

2017 budget estimate + 740,329,000

¹ Committee recommendation includes \$1,231,574,000 in rescissions compared to \$420,000,000 in proposed cancellations.

² Includes a permanent indefinite appropriation of \$176,000,000 for the Coast Guard healthcare fund contribution.

³ Includes \$162,692,000 for the Coast Guard for the cost of overseas contingency operations.

⁴ Includes rescissions totaling \$1,506,152,000 pursuant to Public Law 114–113. Includes permanent indefinite appropriation of \$169,306,000 for the Coast Guard healthcare fund contribution. Includes \$160,002,000 for the Coast Guard for the cost of overseas contingency operations.

⁵ Includes \$6,712,953,000 for the FEMA Disaster Relief Fund designated by the Congress as disaster relief pursuant to Public Law 112–25.

⁶ Includes \$6,709,000,000 for the FEMA Disaster Relief Fund designated by the Congress as disaster relief pursuant to Public Law 112–25.

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OVERVIEW AND SUMMARY OF THE BILL

	Fiscal year 2017 request 1, 2, 3	Fiscal year 2017 Committee recommendation 1, 2, 3, 4
Title I—Departmental Management and Operations	1,167,627	1,143,139
Title II—Security, Enforcement, and Investigations	33,711,991	34,515,220
Title III—Protection, Preparedness, Response, and Recovery	12,418,093	13,315,704
Title IV—Research and Development, Training, and Services	1,631,845	1,499,396
Title V—General Provisions	69,747	— 733,827
Total, new budget (obligational authority)	48,999,303	49,739,632

¹ Committee recommendation includes \$1,231,574,000 in rescissions compared to \$420,000,000 in proposed cancellations.

² Includes a permanent indefinite appropriation of \$176,000,000 for the Coast Guard healthcare fund contribution.

³ Includes \$6,709,000,000 for the FEMA Disaster Relief Fund designated by the Congress as disaster relief pursuant to Public Law 112-25.

⁴ Includes \$162,692,000 for the Coast Guard for the cost of overseas contingency operations.

The Committee recommends a total appropriation of \$49,739,632,000 for DHS for fiscal year 2017, \$740,329,000 more than the budget request. Of this amount, \$48,072,692,000 is for discretionary programs, including \$162,692,000 for Coast Guard overseas contingency operations and \$6,709,000,000 for the FEMA Disaster Relief Fund designated by the Congress as disaster relief pursuant to Public Law 112-25.

The Committee recommends discretionary appropriations, excluding Coast Guard overseas contingency operations and the FEMA Disaster Relief Fund adjustment, of \$41,201,000,000, \$577,637,000 above the request.

OVERVIEW

Despite the threat environment and the many management and operational challenges that face this young department, the mission of homeland security remains compelling to its 226,000 employees and the many stakeholders and partners who share it. The Secretary recently unveiled a new, simple mission statement for the Department of Homeland Security [DHS]: “With honor and integrity, we will safeguard the American people, our homeland, and our values.” Nearly 3,000 entries were submitted from across DHS with similar words and themes: honor, integrity, service, strength, vigilance. While these could be just words on a page, the Secretary is seeking to unify every person, activity, function, operation, and program with this statement and the Committee supports that commitment.

Further, the Committee expects to see results from this common focus in the Department’s performance of its mission. The American people have invested heavily in homeland security. Transparency for both the American people and the people of DHS will bring enhanced capabilities and results. The Committee charges the Department to better assess its needs and demonstrate its effectiveness through data and metrics. To that end, this bill and report include specific direction to track progress, justify resource needs, identify gaps, and assess effectiveness, particularly in the areas of border security and immigration enforcement.

BILL FUNDING PRIORITIES

First and foremost, the bill recommends the funds necessary to support the personnel who are anticipated to be on board in fiscal year 2017 and the critical missions those personnel perform. While the Department continues to request exponential growth in salaries and benefits funds, the Committee has closely examined its actual results in terms of hiring and attrition and worked with the Department to include realistic funding for personnel in this bill. The remaining funds are then invested into technology and assets to enhance DHS' capabilities to meet mission needs. The Committee is concerned that personnel costs continue to push out investments that would enable more efficient and effective operations. For that reason, the Committee continues to press the Department for analysis on the right balance of people, technology, and infrastructure to support its operations. Further, the Committee encourages DHS to seek technology solutions that will act as force-multipliers and automate more manual functions using people to carry out the activities for which they are essential.

Among the most critical missions, the Committee recommends increases above the fiscal year 2016 level for aviation security, cybersecurity, border security, and immigration enforcement. Additionally, the Committee continues its strong support for preparedness grants within the Federal Emergency Management Agency [FEMA] to provide for capabilities at the State and local level that make our country safer, despite the administration's proposed reduction of 35 percent for such programs.

For aviation security, the recommended level includes funds above the request to continue the Congress' commitment to the safety and security of the traveling public. The Congress has consistently pressed the Transportation Security Administration [TSA] to consider technology advancements and appropriate staffing levels for the mission since TSA's establishment. The OIG covert testing, audits, and reviews validated concerns raised by the Committee and others that perhaps TSA had gone too far in extending screening benefits via programs such as Managed Inclusion-2 with no commensurate security gain and hastily assumed efficiencies. As a result, the fiscal year 2016 appropriation provided for all of the new administrator's initiatives, from centralized training to increasing staffing levels by over 600 personnel, all outside the budget request. Further, the Committee has already approved a reprogramming submission for TSA of \$34,000,000 to fund additional overtime in fiscal year 2016 and accelerate the hiring of 768 officers. The aviation community has also stepped up to support TSA and get through what will be a challenging summer.

In considering the fiscal year 2017 budget, the Committee again has received a number of requests and changes from TSA outside the budget request. TSA drastically underestimated passenger volumes, which in the near-term can only be mitigated with additional personnel and expedited passenger screening. The Committee has again provided for these personnel but remains concerned about TSA's ability to grow its expedited screening population through PreCheck and other programs. At the same time, the budget request assumes \$880,000,000 in fee revenues that will not be avail-

able in fiscal year 2017. This set of circumstances imposes a significant burden on the Committee.

In response to security concerns made apparent most recently in Brussels, Sharm el Sheikh, and Mogadishu, the Committee has put together a comprehensive package within TSA's budget aimed at all of TSA's layers of security, from increasing personnel and passenger screening canines at the checkpoint, to fully funding intelligence and pre-screening activities, as well as fully resourcing our last layers of defense in the Federal Air Marshal Service and Federal Flight Deck Officer program. Funding also provides TSA the ability to support airport security overall, with resources for additional Explosive Trace Detection [ETD] systems and canines for State and local law enforcement. This includes:

- 1,344 personnel to mitigate wait times, doubling the increase from fiscal year 2016;
- 50 new canine teams, including both Passenger Screening Canines to increase the expedited population and State and local dog teams to secure the rest of the airport and supplement TSA, and the associated logistics and support costs for these teams;
- New ETD systems to increase the overall fleet;
- Investing in the "Next Carry-On Baggage X-Ray" with funds for research and development [R&D] and an initial procurement;
- Investing in the Innovation Task Force in support of additional technology pilots in fiscal year 2017 and to find new ways to increase passenger throughput particularly in locations where the space available for the checkpoint is limited;
- An increase in support for the Federal Flight Deck Officer Program;
- Full funding for the Federal Air Marshal Service;
- \$178,945,000 above fiscal year 2016 enacted for Aviation Security net and \$957,575,000 above the request, considering the \$880,000,000 the request assumed in additional fee revenue; and
- \$214,512,000 above enacted for all of TSA.

Cybersecurity, the second priority in this bill, will persist as a complex and challenging threat—one that our Nation struggles to address even while the perpetrators continue to advance. To that end, the Committee recommends \$1,529,064,000, \$182,063,000 above the amount provided in fiscal year 2016, across DHS for cybersecurity efforts. The Department shall continue leading the way as an "early adopter" when it comes to deploying cybersecurity measures, given its responsibility through the National Protection and Program Directorate [NPPD] for cybersecurity across civilian government agencies. The recommended level includes cyber-investigations and cyber-training conducted by the Secret Service. Through the Secret Service, the Department is not only conducting extensive cyber-crime investigations, but is training State and local law enforcement in computer forensics which bolsters their Electronic Crimes Task Forces across the country.

Through NPPD, DHS helps secure Federal networks by providing overarching services, capabilities, and best practices that are deployed across agencies' information technology [IT] infrastruc-

ture. The Committee includes \$1,004,901,000, \$186,152,000 above the amount provided in fiscal year 2016, for these activities within NPPD, and supports programs specifically aimed at protecting civilian, Federal, and State networks. These funds are in addition to funds that Federal departments and agencies, including DHS, invest in protecting and upgrading their own systems. Of note, the recommendation includes:

- \$117,042,000, an increase of \$22,557,000 above fiscal year 2016, for the U.S. Computer Emergency Readiness Team to assist government agencies and private sector companies in protecting their IT systems against emerging cyber threats, vulnerabilities, and incidents;
- An additional \$145,488,000 above fiscal year 2016 for a total of \$281,543,000 for Federal Network Security, which includes continuous diagnostics and mitigation for the civilian Federal computer network to detect malicious activity on government networks; and
- \$480,489,000, an increase of \$4,667,000 above fiscal year 2016, for Network Security Deployment which includes the Einstein suite of programs to provide intrusion prevention, information sharing, and analytic capabilities across Federal civilian departments and agencies to enhance protection from cyber threats.

With respect to border security, the Committee includes total appropriations of \$11,182,441,000 for U.S. Customs and Border Protection [CBP] toward the right mix of people, technology, and infrastructure. As CBP works to validate the level of staffing necessary to perform the mission, the Committee continues to press for 21,370 Border Patrol agents, 23,775 CBP officers, and 1,054 pilots and marine operators to patrol and protect our borders. The bill supports:

- Border security technology enhancements, including tactical communications equipment, mobile surveillance assets, cameras, surveillance radars, laser illuminators, ground sensors, increased reuse of Department of Defense [DOD] equipment, integrated fixed towers, relocatable towers, and low-level airborne surveillance systems (aerostats);
- Border security infrastructure investments, including \$20,000,000 above the request for maintenance of border roads and fencing;
- 96,000 flight hours, procurement of three additional multi-role enforcement aircraft, five replacement helicopters, UH-60 Black Hawk recapitalization, and unmanned aerial systems [UAS] operations, including funds to standardize and modernize the UAS fleet;
- Technology improvements to CBP's IT backbone to support more than 60,000 CBP personnel, as well as enhancements to advanced targeting systems and those facilitating commerce; and
- CBP hiring process enhancements to ensure frontline staff are properly vetted, hired timely, and placed where they are needed.

As an extension of our border security needs, the Coast Guard's vessel and air fleets continue to be vital. As such, the Committee

continues essential recapitalization funding to support long lead time materials [LLTM] for a tenth National Security Cutter, LLTM for the first Offshore Patrol Cutter, six additional Fast Response Cutters, small boats, UAS R&D efforts, and shore infrastructure, as well as vessel and aircraft operations and maintenance.

Immigration enforcement efforts go hand-in-hand with border security. The Committee continues its commitment to maintaining 34,000 detention beds to support enforcement and removal operations and keep our communities safe. Unfortunately, the budget again proposes significant reductions to bed capacity which are below even the level at which U.S. Immigration and Customs Enforcement [ICE] is operating. The recommended level of \$5,963,984,000 for ICE, which is \$131,943,000 above fiscal year 2016 enacted, includes funds to sustain recent growth in the Visa Security Program and mobile criminal alien enforcement teams, and continues robust funding for priorities including visa overstay and human trafficking enforcement. The Committee staunchly supports enforcement of our Nation's immigration laws.

Finally, the Committee rejects the \$559,000,000 reduction to State and Local Programs within FEMA as proposed in the request. Since before September 11th, this Nation made a concerted effort to support the preparedness efforts of State and local governments, and the Committee reemphasizes this commitment by maintaining grant programs at fiscal year 2016 levels. The grant programs provide funding to State, local, tribal, and territorial governments, as well as transportation authorities, nonprofit organizations, and the private sector, to improve the Nation's readiness in preventing, protecting against, responding to, recovering from and mitigating terrorist attacks, major disasters, and other emergencies. FEMA continues working with grantees on State Preparedness Reports and the Threat Hazard Identification and Risk Assessment. Both these efforts move us closer to applying robust metrics to quantify the return on investment of these critical programs.

REFERENCES

This report refers to several Public Laws by short title as follows: the Budget Control Act of 2011, Public Law 112-25, is referenced as the BCA; Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, is referenced as the 9/11 Act; and the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, is referenced as the Stafford Act.

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

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

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

Any reference to FTE shall mean full-time equivalents.

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

Any reference to HSPD shall mean Homeland Security Presidential Directive.

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Any reference to GAO shall mean the Government Accountability Office.

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

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

Appropriations, 2016	\$137,466,000
Budget estimate, 2017	136,451,000
Committee recommendation	136,081,000

The Office of the Secretary and Executive Management supports the Department by providing direction, management, and policy guidance to operating components. The specific activities funded by this account include: the Immediate Office of the Secretary; the Immediate Office of the Deputy Secretary; the Office of the Chief of Staff; the Executive 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 Citizenship and Immigration Services Ombudsman; and the Privacy Officer.

COMMITTEE RECOMMENDATION

The Committee recommends \$136,081,000 for the Office of the Secretary and Executive Management. This is \$370,000 below the amount requested and \$1,385,000 below the amount provided in fiscal year 2016. Of this amount, the Committee recommends not to exceed \$45,000 for official reception and representation expenses. The recommended level in this account reflects funds in the Office of Policy requested for a new Chemical, Biological, Radiological, Nuclear, and Explosives [CBRNE] Office that is not yet authorized by the Congress. In addition, \$600,000 above the request is included in the Office of Policy for data experts required by the Office of Immigration Statistics [OIS].

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

The Committee expects the Department to provide complete justification materials with the fiscal year 2018 budget request, including expenditure plan data for the offices within this account.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Immediate Office of the Secretary	8,922	12,428	12,378
Immediate Office of the Deputy Secretary	1,748	1,734	1,734
Office of the Chief of Staff	2,696	2,644	2,634
Executive Secretary	5,601	5,481	5,441
Office of Policy	39,077	37,049	37,129

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT—Continued

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Office of Public Affairs	5,472	5,384	5,384
Office of Legislative Affairs	5,363	5,287	5,287
Office of Partnership and Engagement	13,074	11,692	11,592
Office of General Counsel	19,472	19,298	19,248
Office for Civil Rights and Civil Liberties	21,800	21,403	21,203
Citizenship and Immigration Services Ombudsman	6,272	6,200	6,200
Privacy Officer	7,969	7,851	7,851
Total, Office of the Secretary and Executive Management	137,466	136,451	136,081

BORDER SECURITY METRICS

The bill includes language requiring publication of border security metrics on the Department's Web site, subject to a withholding of \$13,000,000 from obligation for the Office of the Secretary and Executive Management. Despite substantial interest over the years, there are no reliable measures of border security effectiveness available to the public. Several attempts at this effort have been made, both by the Department and by the academic community, but the efforts either were not grounded in data or fell flat given political pressures. The Department has failed to produce reliable measures, even as the Congress continued to provide strong direction regarding development of these measures, including direction from this Committee in Senate Report 114–68 and from the Committees on Appropriations in the explanatory statement accompanying Public Law 114–113.

Over the past 2 years, the Secretary has directed a rigorous initiative to improve data inputs, develop models, conduct peer reviews of methodology, and establish measures that are statistically-valid and repeatable. With the change of administration next year, fiscal year 2017 is the time to release these measures so they can inform the public discourse on border security for the future.

Additionally, the Congress has consistently invested in border security capabilities as a major priority. Yet, the Committee has been frustrated by the lack of a strategy for assessing the results of these investments, as metrics and the anticipated results from proposed spending should be at the foundation of efforts prioritizing future investments. The Department is conducting a “winter study” on this topic while it is also, at long delay, producing an integrated plan for intelligence, surveillance, and reconnaissance assets. The Committee directs the Department to brief on these efforts not later than 30 days after the date of enactment of this act.

PUBLIC REPORTING OF OPERATIONAL STATISTICS

The Committee continues its requirement that the Department submit quarterly Border Security Status reports, as directed in prior years. Unfortunately, because of the Department's failure to make progress in public reporting of operational statistics, the Committee must continue a number of briefing and reporting requirements that it would otherwise eliminate as seen throughout

this report. As part of its regular updates to the Committee, OIS shall provide a plan for public reporting of statistics and data. OIS is encouraged to review the requirements throughout this report for the border security and immigration operations data that the Congress is seeking and that should be addressed in this plan. The recommended level for the Office of Policy includes additional staff to achieve the public reporting plan. In addition, the Office of the Chief Information Officer [OCIO] is funded to provide software and hardware support as necessary.

Over the years, the Committee has provided strong direction regarding the need for regular, consistent, and reliable public reporting of border security and immigration operations. The Committee appreciates the Secretary's interest in this issue and the renewed investment in OIS, but is disappointed with the slow progress. For that reason, the Committee reiterates language in Senate Report 114-68 regarding expectations for, at a minimum, the collection and reporting of the following measurements or estimates based on the best available data collected within the Department and its component agencies and based on fully explained methodologies:

- annual estimates of the total number of unauthorized immigrants in the United States;
- annual estimates of the total number of unauthorized entries by foreign nationals during the previous year including the following specific sub-estimates: estimates of the number of unauthorized entries by foreign nationals at other than authorized ports of entry [POEs] to the United States and estimates of the number of unauthorized entries by foreign nationals made through the authorized POEs to the United States (either by fraud, false claims, or via concealment or evasion of inspection);
- annual estimates of the number of new visa overstays in the United States during the year;
- annual reporting of the total number of unauthorized immigrants removed from the United States including the following specific information: the number of individuals apprehended at the border, at border checkpoints, or at POEs who are subsequently removed; the number of individuals apprehended in the interior of the United States and subsequently removed; and the number of individuals who depart the United States pursuant to: a final order of formal removal from an immigration judge; an administrative removal due to an aggravated felony; an expedited removal under the authority of CBP or ICE; reinstatement of a previous removal order; stipulated removal pursuant to proceedings before an immigration court; voluntary return without a formal removal order (either expedited or administrative); voluntary departure permitted under the order of an immigration judge; or other means of departure (with description of the legal or administrative authority under which the departure was effected); for each of the preceding categories, where possible, the data shall be delineated by nationality, gender, family unit, unaccompanied alien children, priority, and other attributes such as gang affiliation and criminal level;

- number of formerly unauthorized immigrants who are adjusted to or granted legal status under any of the following: adjustment or change of status under provisions of the Immigration and Nationality Act, including details on the provision of law under which the adjustment or change was granted; grant of administrative discretion under Temporary Protected Status, deferred action or any other administrative relief, including the number granted work authorization based on such discretion granted; or grant of status or relief from removal pursuant to an order of an immigration judge, or pursuant to an agreement between the parties in immigration court;
- estimates of the number of unauthorized immigrants who have departed the United States on their own accord, without any intervention or encounter with immigration authorities; and
- estimates of the number of unauthorized immigrants who have died during the past year in the United States.

Where appropriate, the Department shall continue to work with other agencies, particularly the Office of Refugee Resettlement of the Department of Health and Human Services and the Department of Justice Executive Office for Immigration Review to ensure that authoritative data sources are utilized.

EXIT

The Congress has made clear its priority that the Department implement biometric exit. Unfortunately, the Comprehensive Biometric Entry/Exit Plan submitted to the Congress, as required by Public Laws 113-76 and 114-4, did not clearly articulate resources needed or the schedule by which DHS would move forward. In the meantime, Public Law 114-113 provided a dedicated funding stream for exit implementation through changes to H-1B and L-1 visa fees, revenue that United States Citizenship and Immigration Services [USCIS] is already collecting for CBP use.

Before this Committee on February 24, 2016, the Secretary set a timetable by stating categorically more than once, “we want to begin implementing this as soon as 2018 at airports, biometric exit . . . I believe this deadline will be met.” As such, the Department is directed to provide a spend plan for the H-1B and L-1 fees and other resources being applied to exit implementation in fiscal years 2016 and 2017 not later than 30 days after the date of enactment of this act.

The Committee understands that shared U.S.-Mexico entry and exit data exchange programs are not yet in place due primarily to the lack of border infrastructure in Mexico. The Committee encourages the Secretary to continue emphasizing the importance of joint infrastructure that can support entry and exit data exchange with the Government of Mexico in the future. The Committee further directs the Department to brief the Committee within 180 days of the date of enactment of this act detailing ongoing efforts to address entry and exit data collection in the land border environment.

VISA OVERSTAYS

Pursuant to 8 U.S.C. 1376, the Department is required to collect data on nonimmigrant aliens who have overstayed their visas and report annual estimates to the Congress. For the first time, per-

haps ever, the Department provided a report covering non-immigrant visitors who entered the United States for business or pleasure through air and sea POEs for fiscal years 2014 and 2015. The Committee appreciates this initial effort, but notes that the report did not cover the entirety of the required population largely due to data challenges. While biometric exit remains a top priority for the Congress, those data challenges demonstrate that determining immigration status of those who have not departed the United States involves a myriad of biographic data systems that are not linked adequately and fail to operate in a person-centric fashion.

The Department has committed to enhancing the information provided in its overstay report for fiscal year 2016 and is aware of congressional interest in overstay data for students and temporary workers. In this bill and report, 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. Specifically related to students, the Committee is aware that ICE has not obligated all the funds available for the Student and Exchange Visitor Program, which is discussed later in this report, and these funds could be applied to support overstay reporting.

While the Committee continues to expect that the Department will provide the report on an annual basis, the bill again includes language directing submission of the overstay report and withholding \$13,000,000 from obligation for the Office of the Secretary and Executive Management until this report has been submitted.

Moreover, the Committee also continues \$10,000,000 in funding dedicated to ICE enforcement efforts related to visa overstays. In addition, the Department shall submit a 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 steps being taken to identify aliens who have overstayed their visas, including those necessary to improve the capabilities to report such information; notify aliens 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. The report shall also outline the conditions under which an alien is admitted to the United States for "duration of status" and assess changes to such admission, since the required departure requirement is vague and complicates enforcement.

VISA POLICY RESPONSIBILITIES AND VISA WAIVER PROGRAM

With the creation of DHS, the Secretary was granted visa policy responsibility, including the authority to refuse and revoke visas. Working with the Department of State, DHS has instituted changes to increase the security of the visa issuance process over the years, including as required by acts of Congress. However, the Secretary has not delegated visa refusal and revocation authorities to appropriate DHS components to the Committee's knowledge. Therefore, the Department is directed to consider delegation of these authorities, assess any resulting benefits such as to national security or to streamlining procedures, and brief the Committee not

later than 120 days after the date of enactment of this act on its assessment.

Given the current threat environment, concerns remain regarding the Visa Waiver Program [VWP]. While significant security enhancements have been added in recent years, the Department has acknowledged that countries are in varying stages of implementation particularly when it comes to information sharing requirements. For that reason, the Committee directs the Department to update the Committee not later than 120 days after the date of enactment of this act on the country reviews conducted, compliance levels with requirements, and capabilities for and extent of information sharing as required under the VWP.

COOPERATION WITH CENTRAL AMERICAN NATIONS

Given the continued historic rate of illegal aliens from Guatemala, El Salvador, and Honduras coming to the United States, the efforts of the Government of Mexico in enforcing its southern border remain critical. It is also imperative that both the United States and Mexico continue working with these Central American nations to improve their civil law enforcement capabilities, including the sharing of criminal history information, prior orders of removal, and immigration enforcement actions. The Committee recognizes ICE's Criminal History Information Sharing [CHIS] agreements with El Salvador, Guatemala, Honduras, the Dominican Republic, Jamaica, and the Bahamas, as well as their plans to formalize arrangements with several more nations. Further, ICE is working with the Federal Bureau of Investigation's Criminal Justice Information System Advisory Board to increase the number of conviction codes that are shared between nations, an important step in improving the CHIS program and protecting national security.

The Committee notes that ICE continues to find success through its Biometric Identification Transnational Migration Alert Program that involves biometric data collection from special interest aliens, violent criminals, fugitives, and confirmed or suspected terrorists encountered by foreign law enforcement and military personnel. The Department, in conjunction with appropriate partner agencies, shall brief the Committee not later than 90 days after the date of enactment of this act on these critical information sharing efforts.

COUNTERING VIOLENT EXTREMISM

Consistent with the request, the recommended level for the Immediate Office of the Secretary includes funds for the Office of Community Partnerships [OCP] that was created last year and funded in the Office of Partnership and Engagement. The mission of OCP is to build community partnerships necessary to support efforts for countering violent extremism [CVE]. In some communities, there is a sense of urgency to expand current CVE efforts. At the same time, other communities are struggling with how to approach the issue. OCP provides expertise and support to all these communities, and as such, their outreach as part of a whole-of-government approach is critical.

To make progress in CVE, the Congress provided \$10,000,000 in fiscal year 2016 to help States and local communities prepare for,

prevent, and respond to emergent threats from violent extremism. An additional \$50,000,000 is recommended for fiscal year 2017. The Committee expects the Department to award these funds expeditiously and smartly by funding different approaches and projects and assessing each effort's effectiveness in CVE. Given the sensitivities around these issues and the need to implement programs appropriately, the funds are available for 2 years. DHS shall keep the Committee apprised of its CVE efforts.

STRENGTHENING DHS UNITY OF EFFORT

While the Committee commends the Secretary's continued focus on integrating and strengthening the Department's planning, policy, management, and operations processes, unity of effort will only be achieved where components are engaged and realize value. The Department shall brief the Committee on its goals and achievements related to unity of effort, including measures of component buy-in and value provided, not later than 30 days after the date of enactment of this act. Further, the Department is seeking legislative authority to codify many initiatives under unity of effort. One particular initiative, a joint duty training and assignment program, has not been launched because it is awaiting congressional action. In its unity of effort briefing, the Department shall provide information as to why such an effort cannot be undertaken without new authorizing legislation.

The Committee continues to support the Department's efforts to reinstitute a joint requirements process that will provide greater oversight of major acquisitions. At the same time, the Department's inability to communicate progress in and results of this process is disappointing. Funding provided in fiscal year 2016 is continued under the Immediate Office of the Secretary for the Joint Requirements Council [JRC]. The Committee directs the Department to provide regular updates on the decisions and reviews conducted by the JRC and the results of those activities.

BLUE CAMPAIGN

More than 5 years ago, the Department launched the Blue Campaign as an umbrella for the many activities components had undertaken to counter the heinous crime of human trafficking. DHS components, particularly the Federal Law Enforcement Training Center [FLETC], ICE, and CBP, have provided training to Federal human trafficking task forces, more than 10,000 State, local, and campus law enforcement professionals, over 2,000 foreign law enforcement partners, and approximately 50,000 airline employees. The recommended funding level for the Office of Partnership and Engagement includes the \$819,000 requested to institutionalize the program management of the Blue Campaign.

INSPECTOR GENERAL ACCESS

The Committee appreciates the leadership demonstrated by the Secretary and the Department's management team in ensuring full cooperation with OIG. Across the executive branch, the cooperation level is not as robust as it should be, as is required by law, nor as robust as it is at DHS. But as a reminder and given the change

of administration that will come during fiscal year 2017, the Committee reiterates that the law requires OIG have “full and prompt access to all documents”.

Pursuant to section 739 of division E of Public Law 114–113 and prior appropriations Acts, the Department must submit reports to OIG regarding certain conference spending. To facilitate OIG’s reporting to this Committee, the Department shall submit its annual report to OIG not later than 45 days after the end of the fiscal year.

PUBLIC ACCESS TO FEDERALLY FUNDED RESEARCH

The Committee is disappointed that DHS has not yet completed its plan to provide public access to its federally funded research in accordance with the guidance issued by the Office of Science and Technology Policy [OSTP]. While progress has been made in selecting a repository to use, DHS through the Science and Technology Directorate [S&T] continues to gather requirements from components across the Department that fund work that results in publication. The Committee expects to be kept informed of the progress being made to implement the OSTP guidance and to be notified once OSTP approves the DHS plan.

TRANSPARENCY REQUIREMENT

The Committee is aware that the Department uses resources for advertising purposes. As such, the Committee directs the Department and its components to state within the text, audio, or video used for new advertising purposes, including advertising and posting on the Internet, that the advertisements are printed, published, or produced and disseminated at U.S. taxpayer expense. The Department and its components may exempt any such advertisements from this requirement if it creates an adverse impact on safety or security, or impedes the ability of these agencies to carry out their statutory authority.

WILDLIFE TRAFFICKING

As previously discussed in Senate Reports 113–198 and 114–68, the Committee is concerned about the sharp increase in illegal international trade in wildlife and wildlife products and expects DHS to work in partnership with the U.S. Fish and Wildlife Service to improve their cooperative efforts to better address wildlife trafficking. The Committee remains frustrated that the Department has failed to produce specific reports on these activities as required in Senate Report 113–198 and in the explanatory statement accompanying Public Law 114–113. These reports should be provided to the Committee expeditiously. A similar report for fiscal year 2017 should be provided not later than 45 days after the close of the fiscal year.

REAL ID

The Committee supports the Department’s continued effort to implement the REAL ID program. Improving the security of U.S. identification will have a positive impact on security in many facets of our lives. The Committee also strongly supports the continued

use of the law's extension provision, which gives the Secretary discretion to grant States additional time to meet the required minimum standards if the State provides adequate justification for noncompliance. States should have the opportunity to consider and debate methods of compliance consistent with their individual values and traditions, without sanction.

USE OF INTERNATIONAL MOBILE SUBSCRIBER IDENTITY CATCHER TECHNOLOGY

The Committee directs the Department, including all of its agencies, to report to the appropriate congressional committees, within 180 days of the date enactment of this act, with the number of times International Mobile Subscriber Identity [IMSI] Catchers and similar surveillance technology devices have been deployed, how many individuals have been apprehended using IMSI Catchers and related technologies, and how many times IMSI Catchers and related technologies have been utilized to gather evidence relevant to a case against any apprehended individuals.

STATE POLICE CRIME LABS

The Department's investigative and security components lead many of the Federal Government's counternarcotics and law enforcement efforts. The collective work of CBP, ICE, Coast Guard, and Secret Service includes investigations and operations in communities large and small across our Nation. As a result, the Department often works closely with and shares capabilities among State, local, tribal, 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 cell phone analysis. Likewise, these DHS components provide many of the same services to State, local, tribal, and foreign law enforcement agencies.

Coordination among Federal and State law enforcement 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 served by DHS labs or other similar Federal facilities. The Department should also continue to provide whatever assistance is appropriate to State police crime labs to ensure Federal requirements do not burden State resources. Moreover, for areas where the Department frequently relies on State crime labs, additional support may be appropriate to prevent the accumulation of backlogs that can slow Federal and State investigations. DHS shall report annually on its use of and partnerships with State crime labs, including the funds associated with such partnerships, and should fully reimburse State crime labs for any services they provide.

SERVICE LEVEL STANDARDS

To the millions of people traveling every day, TSA and CBP are the face of DHS and of the Federal Government. It is critical for DHS to provide for the security of the traveling public while facilitating their efficient movement through the aviation system. Unfortunately, TSA and CBP have both faced challenges in managing

passenger throughput, challenges that have been compounded by inadequate communication with airports, airlines, other stakeholders, and the traveling public about what service levels they can expect. The Department should be held to consistent, quantifiable, and transparent metrics which measure service levels for these components. As such, the Committee directs that the Department, in close cooperation with the airports, airlines, and other appropriate stakeholders, develop standard service levels to be shared with key stakeholders. The Committee notes that TSA has the Aviation Security Advisory Committee which is an appropriate body to represent the industry on the standard service levels development. These standards must ensure the safety and security of the traveling public and should consider factors such as wait times and passenger satisfaction as well as agency responsiveness to electronic inquiries. Once established, the Department shall ensure staffing and processes are adequate to meet or exceed the standards, regularly and systematically measure performance, including by customer survey, and ensure that standards not sensitive for security purposes are made public so that travelers can hold the Department accountable for meeting the standards.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

Appropriations, 2016	\$196,810,000
Budget estimate, 2017	231,975,000
Committee recommendation	225,875,000

The Under Secretary for Management oversees management and operations of the Department, including procurement and acquisition, human capital, and property management. The specific activities funded by this account include the Immediate Office of the Under Secretary for Management, the Office of the Chief Security Officer, the Office of the Chief Procurement Officer [OCPO], the Office of Program Accountability and Risk Management [PARM], the Office of the Chief Human Capital Officer [OCHCO], and the Office of the Chief Readiness Support Officer.

COMMITTEE RECOMMENDATION

The Committee recommends \$225,875,000 for the Under Secretary for Management. This is \$6,100,000 below the amount requested and \$29,065,000 above the amount provided in fiscal year 2016. The increase over fiscal year 2016 is largely associated with consolidation of personnel costs previously paid through the Working Capital Fund for procurement and human capital services. The Committee supports the Department's initiative to bring greater transparency to the cost of management operations and to eliminate an inefficient, circular reimbursement process. Of this amount, the Committee recommends not to exceed \$2,000 for official reception and representation expenses.

The recommendation provides \$36,447,000 for OCHCO, the same level as requested and \$4,471,000 above the fiscal year 2016 enacted level. The Human Resources Information Technology Program is transferred to OCIO, as requested.

The bill continues the requirement for submission of a Comprehensive Acquisition Status Report in the President's fiscal year 2018 budget with quarterly updates to be submitted 45 days after the completion of each quarter. The requirements for the reports are described in House Report 112-331.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Immediate Office of the Under Secretary for Management	3,393	3,758	3,658
Office of the Chief Security Officer	69,120	61,723	60,723
Office of the Chief Procurement Officer	60,630	101,452	96,952
Office of the Chief Human Capital Officer:			
Salaries and Expenses	24,198	36,447	36,447
Human Resources Information Technology	7,778		
Office of the Chief Readiness Support Officer:			
Salaries and expenses	27,235	25,664	25,164
Nebraska Avenue Complex	4,456	2,931	2,931
Total, Office of the Under Secretary for Management	196,810	231,975	225,875

PROCUREMENT PROCESSES

In Senate Reports 113-198 and 114-68, the Department received direction to outline each step of its procurement processes, including the personnel responsible for each step, and set expectations for the time each step should take. The goal is to improve transparency for everyone involved in the processes and facilitate timely, effective acquisitions and procurements that meet mission needs.

OCPO and PARM have made significant progress in this area through their development of procurement action lead times and acquisition program health assessments. The Committee believes both of these efforts, particularly as they mature, will be effective management tools to evaluate performance, identify any issues, and fix problems along the way. The Department shall brief the Committee not later than 120 days after the date of enactment of this act on its continued efforts to ensure effective, efficient, and transparent procurement processes and program management.

Further, the Committee commends OCPO for its initiatives to engage industry and the entire acquisition community within the Department to improve the way DHS does business. Rather than counting the number of industry days DHS holds, OCPO has established a robust, focused cycle of roundtables, webinars, and training sessions on substantive issues like how to debrief vendors post-award, how vendors and the Government approach pricing differently, and how to structure contracts for agile services. OCPO should include an update on these efforts in the briefing required above.

HIRING DELAYS

Hiring, including keeping up with attrition, persists as the Department's most daunting management challenge. The lack of ability to onboard personnel continues a vicious cycle of bloated and unrealistic budget requests; unfilled mission needs; poor morale; and higher attrition. Despite significant management attention to this issue for the past 2 years, the average number of days to hire an employee in a mission critical position at DHS went from 254 in fiscal year 2014 to 266 days in fiscal year 2015. To be sure, cybersecurity incidents at the Office of Personnel Management and certain DHS contractors contributed to this increase. DHS has made some progress in hiring support positions which should help in future hiring of mission critical positions.

Further, the Committee remains convinced that DHS needs better insights into its hiring processes, including regular monitoring of the time each step takes in the process, so that the process is transparent and appropriate officials are held accountable. The Committee directs the Department to continue working with all its components to develop consistent, repeatable metrics on hiring, attrition, and the onboarding process. CBP has made great strides in documenting its process, identifying chokepoints, attacking inefficiencies, and seeking new ways to bring qualified people on board, such as "hiring hubs" which streamline the hiring process for qualified applicants. CBP's multi-pronged approach, starting with the collection of relevant metrics, and follow-on efforts should be a model to other components. DHS is to brief the Committee not

later than 60 days after the date of enactment of this act on its strategy to decrease the number of days it takes to hire, provide quarterly metrics by component, and move toward monthly metrics reporting. CBP shall continue monthly reporting.

OVERTIME PAY PROPOSALS

Following a 2013 Office of Special Counsel report detailing rampant abuse of administratively uncontrollable overtime [AUO], the Department issued a new policy and actions were taken across components to de-authorize payment of AUO. This issue highlighted a need for overtime pay reform for several DHS law enforcement workforces. Unfortunately, the Department chose to only pursue reform for Border Patrol through the Border Patrol Agent Pay Reform Act [BPAPRA] enacted in 2015, leaving other law enforcement components to continue to rely on AUO as their primary compensation mechanism for overtime. The Department has only recently been working on legislative fixes for ICE Enforcement and Removal Operations [ERO] and CBP Air and Marine Operations [AMO] staff that, similar to BPAPRA, could result in cost savings, provide the workforce more certainty in their pay expectations, and help morale. The Committee notes that the AMO proposal was transmitted to the relevant congressional committees in March, while the ERO proposal has not yet been transmitted. The Committee encourages DHS to act as one Department when considering significant management reform legislation and reminds DHS that all overtime systems must be managed appropriately by supervisors.

ADMINISTRATIVE LEAVE AND LONG-TERM DETAILS

For the reasons outlined in the explanatory statement accompanying Public Law 114–113, the Department shall continue providing monthly data on the use of paid administrative leave for all periods beyond 1 month. Such information shall also be broken down by component. In addition, the Committee is interested in understanding the number of long-term detail assignments outside an employee's home office or component that last longer than 3 years, to include assignments in other departments, agencies, and entities. Therefore, the Department is directed to provide data regarding long-term detailees not later than 120 days after the date of enactment of this act, to include a break-down by home office or component, the receiving office or component, the grade level of the employees, and the authority for such detail. To the extent these details are reimbursable or the home office or component is not supporting the employee's salary and benefits costs, the data should note that fact.

HEADQUARTERS CONSOLIDATION

A general provision is included in the bill providing \$225,532,000 for costs associated with headquarters and mission support consolidation. The bulk of the fiscal year 2017 request is for a new FEMA headquarters at St. Elizabeths that is timed to address FEMA's lease expirations and will consolidate FEMA's current seven locations in Washington, DC. The Under Secretary shall submit an ex-

penditure plan not later than 90 days after the date of enactment of this act detailing how these funds will be allocated, including a revised schedule and cost estimates for headquarters consolidation. The Department shall notify the Committee within 30 days of any deviation from the expenditure plan.

Additionally, the Committee is aware that half of the Department's leased facilities nationwide will be up for re-competition within the next 5 years. DHS has undertaken an effort, now supported by the General Services Administration, to approach this opportunity strategically and assess opportunities for consolidation and for efficiencies. The Department shall keep the Committee apprised of these efforts.

OFFICE OF THE CHIEF FINANCIAL OFFICER

Appropriations, 2016	\$56,420,000
Budget estimate, 2017	58,825,000
Committee recommendation	58,425,000

The Office of the Chief Financial Officer [OCFO] is responsible for the fiscal management and financial accountability of DHS. OCFO provides guidance and oversight of the Department's budget execution while ensuring that funds are allocated and expended in accordance with relevant laws and policies. This account funds the Budget Division, Office of Financial Operations, Office of Program Analysis and Evaluation, Office of Financial Management, Resource Management Transition Office, the Office of the Government Accountability Office/Office of Inspector General Audit Liaison, Cost Analysis Division, Risk Management and Assurance, and Workforce Development.

COMMITTEE RECOMMENDATION

The Committee recommends \$58,425,000 for OCFO. This is \$400,000 below the amount requested and \$2,005,000 above the amount provided in fiscal year 2016.

The recommendation includes \$41,215,000 for Financial Systems Modernization as a general provision in title V of this act, the same level as requested.

COMMON APPROPRIATIONS STRUCTURE

This bill and report recommend funding for DHS in the same structure as fiscal year 2016, despite the Department's submission of the fiscal year 2017 request in a new "common" appropriations structure. As proposed, the new structure would reduce controls and congressional oversight to a degree that is unacceptable to this Committee. It is disappointing that the Department failed to address the Committee's concerns before transmitting the budget request in this structure.

At the same time, the Committee continues to believe that the goal of following funds from planning through execution is critical to departmental oversight of the components as well as establishing a capability to make tradeoffs in resource allocation and budget development decisions. As such, the Committee is willing to undertake the effort necessary, working with the Department and the House Committee on Appropriations, to transition from the

current structure to a more common appropriations structure, specifically in common accounts, consistent with the guidance provided in fiscal year 2016. Under the account level, a structure closer to the current PPAs would maintain controls and transparency regarding congressional priorities and the offices and officials responsible for execution of funds.

In addition, the Department shall continue aggressively instituting financial management policies and procedures, particularly as it relates to budget formulation. These policies enable a truly common approach to building solid budget justifications.

ANNUAL BUDGET JUSTIFICATIONS

The Chief Financial Officer is directed to ensure that fiscal year 2018 budget justifications for classified and unclassified budgets of all Department components are submitted on February 6, 2017, concurrent with the President's budget submission to the Congress. The justifications shall include:

- Detailed data and explanatory descriptions for each appropriations request and for each PPA reflected in the table accompanying this report, including offices that have been identified as PPAs. 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, subprograms, and FTE, including identifying each increase, decrease, transfer, and staffing change proposed in fiscal year 2018.
- Year-to-year changes described in terms that are clear and unambiguous, excluding nonspecific terms such as “technical adjustment” or “administrative savings” 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 merely 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 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 acquisition 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; 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 appropriations account and PPA on all reimbursable agreements and significant uses of the Economy Act 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 language changes, whether they are new or amend existing law, 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 reports, plans, and briefings for each of fiscal years 2016 and 2017.

Any significant new activity that has not been explicitly justified to the Congress or for which funds have not been provided in appropriations Acts requires the submission of a reprogramming or transfer request during a fiscal year.

COMPONENT OBLIGATION PLANS

The Department shall continue submitting obligation plans on a quarterly basis consistent with direction provided in the explanatory statement accompanying Public Law 114–113, including ensuring that the obligation plans are connected to activity-level details in the budget justification materials. For fiscal year 2017, the Committee expects these plans to be timely given the established routine.

FINANCIAL SYSTEMS MODERNIZATION

The Department has signaled its intent to migrate DHS components to a Federal shared services provider [FSSP] with several components leading the way this year. With cost savings and efficiencies as part of the rationale for this effort, questions remain regarding the total potential costs of this approach. Within 60 days of the date of enactment of this act, the Committee directs the OCFO to provide, by component, the total cost of migrating to an FSSP. These costs shall be broken down by major cost driver, phase, and fiscal year for the total life cycle of the project, including obligations to date. Estimated and actual cost savings by fiscal year and by major cost driver for each component shall also be included. In addition, DHS is to maintain frequent communications with the Committee on financial management improvement plans necessary to support the Department's missions, including a timeline for implementation with discrete milestones. DHS is also required to update the Committee on any delays that occur during discovery or implementation phases in a timely manner.

GENERAL PROVISIONS

The Department shall continue providing monthly budget execution reports including staffing data as in prior years, in compliance with the included general provision. Further, the Committee continues to include general provisions addressing unauthorized fee proposals in future budget requests and pay reform initiatives.

A statutory provision is also retained requiring the Secretary to submit a Future Years Homeland Security Program budget as part of the fiscal year 2018 budget justification. The report shall be provided in the same manner as prior year requirements and shall be in unclassified form so as to be accessible to the general public.

In addition, the Department shall adhere to statutory weapons and ammunition reporting requirements made permanent in Public Laws 113-76 and 114-4 respectively.

OFFICE OF THE CHIEF INFORMATION OFFICER

Appropriations, 2016	\$309,976,000
Budget estimate, 2017	317,513,000
Committee recommendation	307,413,000

The Office of the Chief Information Officer [OCIO] is responsible for oversight of information technology [IT] development, oversight of IT acquisition, alignment of IT systems and infrastructure to the enterprise architecture to support the missions and activities of the Department.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$307,413,000, of which \$102,000,000 is for salaries and expenses, and \$205,413,000 is to be available through fiscal year 2018 for Department-wide technology investments overseen by OCIO. The recommendation is \$10,100,000 below the amount requested and \$2,563,000 below the amount provided in fiscal year 2016. The reduction is largely in the salaries and expenses PPA due to a significant number of vacancies and hiring that will not be achieved.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

OFFICE OF THE CHIEF INFORMATION OFFICER

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Salaries and expenses	109,957	110,000	102,000
Information technology services	91,000	98,494	96,394
Infrastructure and security activities	54,087	54,087	54,087
Homeland secure data network	54,932	54,932	54,932
Total, Office of the Chief Information Officer	309,976	317,513	307,413

SEMIANNUAL BRIEFINGS

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 and schedule.

INFORMATION TECHNOLOGY SERVICES

The Committee recommendation includes \$96,394,000 for development, implementation, and maintenance of IT functional services. The level demonstrates continued commitment to enterprise implementation of identity and other IT services, the DHS Data Framework, and the Digital Services team. The Committee expects OCIO to continue to provide leadership and support to enterprise efforts related to immigration data and the joint wireless program. With regards to immigration data, OCIO, working with the appropriate components, shall provide the software and hardware necessary for the Office of Immigration Statistics to access component data and perform its mission.

INFRASTRUCTURE AND SECURITY ACTIVITIES

The Committee recommendation includes \$54,087,000 for development and acquisition of IT equipment, software, services, and related activities.

The Department continues to be a leader in data center consolidation which has brought greater operational efficiencies, a reduced IT footprint, reduced energy consumption, and opportunities for shared capabilities. Data Center 1 is a premiere facility and a strategic computing asset ready to serve other Federal customers. The Committee expects the Department to support the National Aeronautics and Space Administration in ensuring this government investment is best utilized. In addition, the Department shall continue to brief the Committee on a periodic basis regarding its execution of remaining data center migration funds, its use of existing data center contract vehicles to enable further consolidation in Data Center 1, and its open market strategy for cloud services.

SHARING AND SAFEGUARDING CLASSIFIED INFORMATION

The recommendation includes \$12,800,000 to support information sharing and safeguarding measures to protect classified national security information. OCIO shall cover these programs as part of its semiannual briefings to the Committee.

STREAMLINING ACQUISITIONS AND DOCUMENTATION

As part of the Department's effort to improve its requirements development and acquisition processes, OCIO and PARM are working together on an initiative to ensure the processes, and artifacts required in the processes, make sense for the buy. Further, the current processes and required artifacts do not support agile development efforts and, in fact, create an undue burden with no real oversight or program management benefit. The Committee is very interested in the four pilots underway to test new processes and directs OCIO and PARM to brief the Committee not later than 60 days after the date of enactment of this act on their results.

ANALYSIS AND OPERATIONS

Appropriations, 2016	\$264,714,000
Budget estimate, 2017	265,719,000
Committee recommendation	260,201,000

The account supports activities to improve the analysis and sharing of threat information, including activities of the Office of Intelligence and Analysis [I&A] and the Office of Operations Coordination.

COMMITTEE RECOMMENDATION

The Committee recommends \$260,201,000 for Analysis and Operations. This is \$5,518,000 below the amount requested and \$4,513,000 below the amount provided in fiscal year 2016. The recommended level in this account reflects funds requested for a new CBRNE Office that is not yet authorized by the Congress. The details of these recommendations are included in a classified annex accompanying this report.

ANNUAL BUDGET JUSTIFICATIONS AND OBLIGATION PLANS

The Committee expects to receive the same level of information for the Department's classified budget as is required under the Chief Financial Officer both in annual budget justifications and quarterly obligation plans. Additionally, while the Committee does not require an Intelligence Expenditure Plan for fiscal year 2017, the I&A quarterly obligation plans shall include cost data for individual programs and projects.

STATE AND LOCAL FUSION CENTERS

The Committee directs I&A to continue semiannual briefings on the State and Local Fusion Centers program.

The Committee is disappointed that the Department failed to provide an assessment of the Kansas Intelligence Fusion Center [KIFC] as a State-based Center of Excellence for multi-agency, multi-discipline public-private partnership to enhance threat information sharing and collaboration, as directed in Senate Report 113-198. While each fusion center should be tailored to meet the needs of its local constituents, cybersecurity and critical infrastructure protection are increasingly capabilities that fusion centers are seeking to develop in response to threat and gap assessments. While the high-side operations and access of the KIFC may not be a model for most fusion centers, the Department, particularly I&A and NPPD, need to assess the extent to which the KIFC's capabilities fill a national need, including for training other fusion center personnel, and should be supported. The Committee expects this assessment to be submitted imminently.

SUPPORT OF BORDER SECURITY MISSION

The Committee directs I&A to assess the level of field support its intelligence officers and reports officers provide directly to the Department's border security mission and the extent to which additional support, collocated on the Southwest border, would enhance mission effectiveness.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2016	\$137,488,000
Budget estimate, 2017	157,144,000
Committee recommendation	155,144,000

This account finances the Office of Inspector General's [OIG] activities, including audits, inspections, investigations, and other reviews of programs and operations of DHS to promote economy, efficiency, and effectiveness and to prevent and detect fraud, waste, and abuse.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$155,144,000 for OIG, \$2,000,000 below the amount requested and \$17,656,000 above the amount provided in fiscal year 2016. In addition, the Committee includes bill language transferring \$24,000,000 requested by OIG for audits and investigations related to expenditures from the Disaster Relief Fund [DRF].

Inspectors General across the government perform a critical function on behalf of the Congress and the American people, as well as the leadership of Federal departments and agencies when that relationship is sound. After a troubling period of issues and allegations several years ago, the DHS OIG has made great strides under the current Inspector General in restoring its credibility and capabilities. For that reason, the recommended funding level again includes a significant increase above the prior year to sustain staffing increases and provide the resources to meet the mission. The Committee expects to see continued progress and results from these investments.

The Committee expects the Inspector General to submit any updates to the expenditure plan for fiscal year 2017 no later than 30 days after the date of enactment of this act. As specified in Senate Report 113-198, for fiscal year 2018 and thereafter, OIG shall submit a detailed expenditure plan with its annual budget justification documents. In addition, OIG shall continue submitting obligation plans on a quarterly basis as required of all DHS components consistent with direction provided in the explanatory statement accompanying Public Law 114-113 and title I of this report.

FOCUS AREAS

OIG shall continue to provide the Committee with periodic updates regarding focus areas and the status of its work. The Committee continues to support OIG's engagement in the area of employee and contractor integrity and expects OIG, CBP, and ICE to continue to work cooperatively to combat corruption. In addition, the Committee is interested to see the results from OIG's investment in big data capabilities that should provide opportunities for more meaningful audits and reviews.

AVIATION SECURITY

Last year, as a result of OIG's covert tests, audits, and findings, the Secretary instituted a strategic shift in our Nation's approach to aviation screening and brought new leadership to TSA. The Committee expects OIG to continue its covert testing of aviation se-

curity capabilities and to track the progress being made to address its findings. Not later than 30 days after the date of enactment of this act, OIG shall brief the Committees on its latest efforts and findings.

INFRASTRUCTURE PROTECTION FIELD PERSONNEL

The Office of Infrastructure Protection [IP] within NPPD has over 250 personnel operating in the field across the country. Of those personnel, the vast majority are Chemical Security Inspectors [CSI] and Protective Security Advisors [PSA]. They also work with other NPPD field personnel, including those with the Federal Protective Service and Cybersecurity Advisors. In recent months, IP conducted a pilot to ascertain the feasibility of shifting support for these personnel from headquarters to a regional concept. Responsibilities currently considered for realignment include: setting policy and guidance for the CSI and PSA programs; providing analytic and mission support services; designing and maintaining operational technology, tools, and data; developing exercises and trainings for the critical infrastructure community to be delivered in the field; and administrative tasks such as fleet management, shipping and receiving of equipment, and IT support. The Committee directs OIG to conduct a review of all current regionalization documentation, the authorities necessary for IP to conduct this realignment, and the conclusions of the Region IV pilot to determine the feasibility of moving forward with this concept.

CONFERENCES AND SPECIAL EVENTS

OIG shall report to the Committee not later than 180 days after receipt from DHS on the Department's fiscal year 2017 spending for conferences, ceremonies, and similar events above \$100,000 as well as any events of note reported by the Department over \$20,000. Consistent with prior year reports, OIG shall include the total costs to the Government associated with these events, the number of conferences held, the amount of funds obligated, and expenses by appropriation or other source of funding, including budget accounts and subaccounts used to pay for events.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SUMMARY

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

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$13,237,281,000 including direct appropriations of \$11,182,441,000 and estimated fee collections of \$2,054,840,000. The Committee's recommendation reflects realistic assumptions for hiring and includes the resources necessary to fund all of the staff likely to be on board in fiscal year 2017. The Committee recommends substantial funding increases for tactical radios and for Border Patrol vehicle replacements so that frontline staff, once hired, will have the equipment needed to perform CBP's mission effectively and safely.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY

(In thousands of dollars)

	Fiscal year 2016 enacted	fiscal year 2017 budget request	Committee recommendations
Appropriations:			
Salaries and expenses	8,628,902	9,398,748	8,857,183
Small airport user fee	9,097	9,415	9,415
Automation modernization	829,460	840,726	813,206
Border Security Fencing, Infrastructure, and Technology (BSFT)	447,461	329,237	349,237
Air and Marine operations	802,298	798,277	857,000
Construction and facilities management	340,128	305,754	296,400
Total, Appropriations	11,057,346	11,682,157	11,182,441
Estimated fee collections:			
Immigration inspection user fee	652,699	677,894	677,894
Immigration enforcement fines	633	860	860
ESTA	57,332	58,301	58,301
Land border inspection fee	34,724	46,517	46,517
COBRA passenger inspection fee	506,877	523,737	523,737
APHIS inspection fee	515,810	534,515	534,515
Global entry user fee	91,789	96,297	96,297
Puerto Rico Trust Fund	99,058	99,551	99,551
Virgin Island fee	11,867	11,176	11,176
Customs Unclaimed Goods	5,992	5,992	5,992
Total, Estimated fee collections	1,976,781	2,054,840	2,054,840
Total, U.S. Customs and Border Protection, available funding	13,034,127	13,736,997	13,237,281

SALARIES AND EXPENSES

Appropriations, 2016	\$8,628,902,000
Budget estimate, 2017	9,398,748,000
Committee recommendation	8,857,183,000

The CBP Salaries and Expenses appropriation provides funds for border security, immigration, customs, agricultural inspections, regulating and facilitating international trade, collecting import duties, and enforcing U.S. trade laws. In addition to directly appropriated resources, fee collections are available for the operations of CBP from the following sources:

Immigration Inspection User Fee.—CBP collects user fees to fund the costs of international inspections activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Electronic System for Travel Authorization Fee.—CBP collects fees to cover the cost of operating and implementing a system to pre-screen visitors from countries participating in the Visa Waiver Program prior to their arrival in the United States to avoid security risks, as authorized by section 711(h)(3)(B) of the 9/11 Act, Public Law 110–53.

Immigration Enforcement Fine.—CBP collects fines from owners of transportation lines and persons for unauthorized landing of aliens, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Land Border Inspection Fee.—CBP collects fees for processing applications for the Dedicated Commuter Lanes program, the Automated Permit Ports program, the Canadian Border Boat Landing permits, Mexican Non-Resident Alien Border Crossing Cards, FAST, SENTRI and NEXUS application fees, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Public-Private Partnership [PPP] Reimbursements.—CBP is authorized to enter into mutually beneficial agreements with stakeholders at select ports of entry [POEs] whereby CBP is reimbursed for enhanced customs and agricultural processing, border security, and immigration inspection-related services.

Consolidated Omnibus Budget Reconciliation Act [COBRA] Passenger Inspection Fee.—CBP collects fees for inspection services involving customs-related functions. The COBRA user fee statutory authority (19 U.S.C. 58c) specifies the types of covered expenses.

Animal and Plant Health Inspection Service Inspection Fee.—CBP receives as a transfer a distribution of agriculture inspection fees collected by the United States Department of Agriculture. The user fees, as authorized by the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136), are charged to offset costs for the services related to the importation, entry, or exportation of animals and animal products.

Global Entry User Fee.—CBP collects fees to cover the cost of a registered traveler program to expedite screening and processing of international passengers as authorized under the Consolidated Appropriations Act of 2008, section 565(3)(B).

U.S. Virgin Islands Fee Fund.—The U.S. Virgin Islands [USVI] are an unincorporated territory of the United States and although a U.S. territory, the USVI is expressly excluded from the definition

of customs territory of the United States. The importation of goods into the USVI is governed by Virgin Islands law. CBP collects duties on behalf of the USVI and deposits them into the USVI Fee Fund. The account is managed annually as a reimbursable account with any remaining funds remitted back to the USVI at the conclusion of the fiscal year.

Puerto Rico Trust Fund.—Customs duties, taxes, and fees collected in Puerto Rico by CBP are deposited in the Puerto Rico Trust Fund. After providing for the expenses of administering CBP activities in Puerto Rico, the remaining amounts are transferred to the Treasurer of Puerto Rico pursuant to sections 740 and 795 of title 48, United States Code.

Small Airport User Fee.—The User Fee Airports Program authorized under 19 U.S.C. 58b and administered under 19 U.S.C. 58c(b)(9)(A)(i), authorizes inspection services to be provided to participating small airports on a fully reimbursable basis. The fees charged under this program are set forth in a memorandum of agreement between the small airport facility and the agency, and may be adjusted annually as costs and requirements change.

Unclaimed Goods.—Any goods entered or un-entered merchandise (except merchandise under section 557 of the Tariff Act of 1930, as amended (19 U.S.C. 1557), but including merchandise entered for transportation in bond or for exportation) which remain in Customs custody for 6 months from the date of importation or a lesser period for special merchandise as provided by section 127.28(c), (d), and (h) of title 19, United States Code, and without all estimated duties and storage or other charges having been paid, shall be considered unclaimed and abandoned. This account represents the proceeds from the liquidation of that account.

Preclearance Reimbursements.—The Trade Facilitation and Trade Enforcement Act of 2015, Public Law 114–125, included authority for CBP to both collect and spend reimbursements, including spending in anticipation of reimbursements, for preclearance activities.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$8,857,183,000 for CBP Salaries and Expenses for fiscal year 2017, including \$3,274,000 from the Harbor Maintenance Trust Fund and, of which \$2,652,000,000 is derived from the merchandise processing fee. This is \$541,565,000 below the request and \$228,281,000 above the amount provided in fiscal year 2016. The Committee notes that \$305,536,000 requested in CBP is not included in the recommended level due to the Committee's rejection of the proposed transfer of the Office of Biometric Identity Management [OBIM] to CBP. This proposal has not yet been authorized by the Congress.

The Committee includes bill language making available up to \$150,000 for payment for rental space for preclearance operations and \$1,000,000 for payments to informants. The Committee also includes bill language placing a \$35,000 annual limit on overtime paid to any employee and capping official reception and representation expenses at \$34,425. A general provision is continued to allow CBP to access collections associated with the U.S. Colombia Trade Promotion Agreement Implementation Act, Public Law 112–42. The

spending from these collections is not capped, whereas the request included a cap of \$220,000,000.

The request includes unrealistic assumptions on hiring for most classifications of CBP staff, so the Committee's recommended level includes adjustments in order to support the staffing level likely to be attained during fiscal year 2017.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Salaries and expenses:			
Headquarters, management, and administration:			
Commissioner	30,139	31,718	30,589
Chief Counsel	48,239	53,543	50,201
Congressional Affairs	2,444	2,950	2,915
Internal Affairs	165,223	185,784	174,175
Public Affairs	14,644	19,862	18,519
Training and Development	73,939	105,998	86,866
Technology, Innovation, Acquisition	24,933	29,156	26,353
Intelligence	72,038	78,682	76,244
Administration	381,369	426,151	396,287
Rent	629,046	635,361	630,909
Subtotal, Headquarters, management, and admin- istration	1,442,014	1,569,205	1,493,058
Border security inspections and trade facilitation:			
Inspections, trade, and travel facilitation at ports of entry	2,981,606	3,108,100	3,053,046
Reimbursable preclearance authority		8,000	
Harbor maintenance fee collection (Trust Fund)	3,274	3,274	3,274
International cargo screening	59,709	56,491	55,721
Other international programs	25,087	27,387	25,846
Customs-Trade Partnership Against Terrorism (C- TPAT)	36,593	38,606	37,239
Trusted Traveler Programs	5,811	5,811	5,811
Inspection and detection technology investments	209,273	173,785	173,737
National Targeting Center	75,890	115,282	114,554
Training	38,258	49,929	49,823
Office of Biometric Identity Management		305,536	
Subtotal, Border security inspections and trade facilitation	3,435,501	3,892,201	3,519,051
Border security and control between ports of entry:			
Border security and control	3,696,450	3,864,866	3,790,936
Unaccompanied Alien Children Contingency Fund		13,000	
Training	54,937	59,476	54,138
Subtotal, Border security and control between ports of entry	3,751,387	3,937,342	3,845,074
Total, Salaries and expenses	8,628,902	9,398,748	8,857,183

CBP HEADQUARTERS REALIGNMENT

The Committee is generally supportive of CBP's proposal to reduce the number of staff reporting directly to the Commissioner, while also improving the delivery of resources to the field. How-

ever, while the budget request includes a total funding level for the newly proposed Enterprise Services office, it does not articulate the annual cost of operating the newly proposed Operations Support office. The Committee directs CBP to detail the costs of these offices, including administrative support.

CBP HIRING AND RETENTION

The Committee commends CBP for collecting and analyzing data on all aspects of the hiring process to identify opportunities for improvement, including how best to target qualified, successful applicants. The Committee understands CBP's implementation of hiring hubs has reduced by nearly 50 percent the timeline for hiring CBP officers, and the Committee expects CBP to deploy hiring hubs along the border to speed hiring of qualified Border Patrol agents. The Committee is disappointed, however, that CBP remains unable to meet the funded staffing levels for Border Patrol agents and CBP officers. Compounding the hiring delays, CBP continues to face challenges staffing both Office of Field Operations [OFO] and Border Patrol locations along the northern and southwest land borders. The Committee directs CBP, working with the Office of Personnel Management as necessary, to identify and utilize incentives to improve retention in those locations and incentivize personnel to choose those locations. CBP is also directed to continue briefing the Committee quarterly on the actions CBP is taking to improve hiring, retention, and attrition for all frontline staff, and provide monthly notifications on frontline staffing levels. If additional authorities are needed to improve staffing at border locations, the Committee expects CBP to immediately brief the Committee, as well as relevant committees of jurisdiction, on the proposed legislative changes and potential costs of the proposed changes.

BORDER PATROL STAFFING MODEL

The Committee has directed the Border Patrol to establish the requirements for personnel, technology, and infrastructure necessary to secure the border. As part of that effort, Border Patrol needs a staffing model that considers situational awareness, officer safety, and other operational needs. While CBP completed a staffing analysis for Border Patrol agents, it is not yet a robust staffing model that can provide insight into the appropriate level of Border Patrol agent staffing and inform the deployment and use of personnel and other resources. Despite the lack of analysis, the fiscal year 2017 request proposes a permanent reduction to Border Patrol staffing. The Committee directs the Border Patrol to brief the Committee not later than 30 days after the date of enactment of this act on its data-based analysis of the staffing needs for the Border Patrol.

CAPABILITIES GAP PROCESSES

CBP has begun collecting and evaluating requirements from the field through processes to identify capabilities gaps [C-GAP] for the Border Patrol and Air and Marine Operations [AMO]. The agency has cited its ongoing C-GAP processes as an important tool necessary to assess and identify its border security mission needs.

While developing a data-driven requirements process is a positive step, CBP must develop tools and processes that capture enterprise level requirements to facilitate and prioritize CBP's operations and maintenance activities, as well as future investments. The Committee directs CBP to coordinate the results of the ongoing operating components' requirements analyses, and brief the Committee within 90 days of the date of enactment of this act on the results and how these results will inform future budget requests.

CONSEQUENCE DELIVERY SYSTEM

The Committee understands that CBP continually evaluates the Consequence Delivery System [CDS], in coordination with ICE and DOJ, in order to increase immigration enforcement effectiveness, including reducing recidivism. OIG-15-95, a report on Operation Streamline, included recommendations for CBP to better measure both the costs and effectiveness of the CDS. Within 120 days of the date of enactment of this act, the Committee directs CBP to brief on actions taken to track the costs and measure the effectiveness of Operation Streamline and other components of the CDS.

CARRIZO CANE

The Committee remains concerned about Carrizo cane and other invasive species which impede the border security mission along the United States-Mexico border. Within 60 days of the date of enactment of this act, CBP is directed to brief the Committee on its comprehensive plan for eradicating Carrizo cane, including updates on the status of approval for additional biological control agents to combat Carrizo cane and other related plant species; collaboration with the Texas State Soil and Water Conservation Board and other Federal, State, and local stakeholders, as well as the Government of Mexico; and the resource requirements for executing the comprehensive plan.

INTELLIGENCE

The Committee is supportive of the Office of Intelligence's efforts to develop, provide, coordinate, and implement CBP's intelligence capabilities into a cohesive enterprise and directs the Office of Intelligence to manage confidential human source payments for all of CBP. The Committee further directs CBP to assess CBP's current tactical intelligence and law enforcement information collection assets, to determine whether centralizing collection and coordination capabilities would be beneficial and report to the Committee on the results within 180 days of the date of enactment of this act.

INTERNAL AFFAIRS

The Committee remains committed to addressing the potential for corruption of CBP personnel, and notes CBP's efforts to head-off problems before they occur, but is nonetheless concerned by some of the revelations included in OIG-16-75 and the recent report by the Homeland Security Advisory Council's CBP Integrity Advisory Panel [Advisory Panel]. OIG-16-75 included recommendations addressing how CBP failed to assess staffing requirements based on data-driven justifications, did not validate

major duties for criminal investigators, and did not establish performance metrics, all while paying unjustified Law Enforcement Availability Pay to investigators. In addition to the recommendations made by OIG, the Advisory Panel released its final report on CBP's Internal Affairs activities on March 15, 2016, including 39 recommendations for CBP, many of which require institutional change. While the Advisory Panel also recommended substantial staffing increases, the Committee believes CBP should make the recommended institutional changes prior to bringing on a large number of new investigators. As such, the Committee directs CBP to brief the Committee quarterly on the steps being taken to address the 39 recommendations, and includes \$3,436,000 of the \$6,872,000 requested for new investigators. Like other components of CBP, Internal Affairs faces challenges hiring qualified new staff, so the recommendation also reduces estimated salary expenses to a more realistic level.

PORTS OF ENTRY

OFO operates 328 POEs 24 hours a day and 7 days a week, inspecting over 1.3 million people daily by air, land, and sea. In addition to CBP's primary security mission, CBP is the second largest government revenue generator for the United States after the Internal Revenue Service. Traveler volume increased 2.2 percent in 2015 after increasing 3.4 percent in fiscal year 2014. Traveler volume is expected to increase 3.4 percent to 4.1 percent through 2018 resulting in a projected 11.5 percent increase from fiscal year 2016 to fiscal year 2018.

Achieving the Optimal Mix of People, Infrastructure, and Technology.—The overall proportion of CBP's salaries and benefits [S&B] has been growing steadily, thus shifting resources to other priorities. In fiscal year 2009, S&B accounted for 56 percent of the total Salaries and Expenses account, but in fiscal year 2017 it will be approximately 72 percent. Cost drivers for the growing payroll, in addition to staffing increases, include healthcare, retirement benefits and changing grade profiles, including additional law enforcement compensation types and benefit rates.

CBP's workload staffing model indicates a shortfall of 2,107 CBP officers by the end of fiscal year 2017, and this assumption presumes all funded CBP officers are on board at that time. While the model needs further refinement, it is the best tool yet designed to assist in officer placement decisions based on traveler volume, wait times, expanded facilities, and increased cargo throughput. The model also takes into consideration the reduction in staffing requirements due to innovation and technology improvements. While CBP's workload model is mature, the Committee encourages CBP to conduct a review and analysis of current staffing processes at a single air POE with CBP using private sector staffing management practices and technology to determine whether optimal staffing levels are in place. The Committee supports the request to hire new CBP technicians to take on certain tasks so that CBP officers can focus their time and efforts on law enforcement activities.

The Committee remains concerned, however, about CBP officer staffing levels on the northern border. As trade and tourism increase along the United States-Canadian border, additional re-

sources should be provided, as appropriate. The Committee directs CBP to submit an updated resource allocation model with the fiscal year 2018 budget detailing specific staffing, funding for, and implementation of planned border enforcement initiatives by POE.

The increased adoption of technology will continue to change the way CBP processes people and cargo entering the United States, allowing officers to better target risks with informed targeting, rather than paperwork. The Committee encourages CBP to continue adding enrollment centers for DHS Trusted Traveler Programs including Global Entry and NEXUS where demand warrants. To the extent Global Entry can be expanded to passengers from other countries, CBP is encouraged to do so. As enrollment in these programs continues expanding, passengers can be more quickly processed upon arrival in the United States.

The Committee recommends the \$74,100,000 requested for Land Border Integration, but remains concerned that technology used to analyze vehicular traffic crossing our northern and southern borders has become outdated and should be improved. As directed in Senate Report 114-68, CBP is expected to continue improving situational awareness by procuring and implementing the latest, most effective technologies available to monitor and intercept vehicles crossing our borders. Many of CBP's procedures for processing tractor trailers carrying cargo across U.S. land borders are outdated and paper-based. Recognizing the importance of improving the effectiveness and efficiency of cargo processing at U.S. land borders, the Committee urges CBP to appropriately plan for the prioritization of efforts to automate and update the Nation's ability to monitor cargo crossing into the U.S. at land POEs.

Land Border Fees.—The Committee continues a general provision prohibiting CBP from conducting any studies for establishing and collecting any new land border fee. This provision does not affect any existing trusted traveler program such as FAST, NEXUS, SENTRI, or other similar efforts.

Human Trafficking.—The Committee encourages CBP to continue to post the National Human Trafficking Resource Center hotline, email address, and Web site information in all U.S. POEs.

Foreign Municipal Solid Waste.—The Committee directs CBP to continue to address the threat posed by trucks carrying foreign municipal solid waste from Canada into the United States in a risk-based, targeted manner.

REIMBURSABLE SERVICES PROGRAM

The Committee is disappointed that CBP has not selected any small or mid-sized airports for participation in the Reimbursable Services Program and directs CBP to ensure that each request for a reimbursable agreement at a POE is given equal consideration regardless of the size of the POE. If CBP denies a request for a reimbursable agreement, the denial should be accompanied by a detailed justification for the denial.

DONATIONS ACCEPTANCE PROGRAM

The Committee recognizes that changing circumstances may limit the period of opportunity for potential donations, and is aware that current and prospective partners have developed a significant

inventory of donation proposals to enhance and improve the port environment. Consistent review of these proposals will not only encourage greater engagement between CBP and non-Federal partners, but has important implications for international trade relationships. Therefore, the Committee further directs CBP to work with the General Services Administration to review the lengthy process used to evaluate donations with a value greater than \$3,000,000 and accept applications for these donations at least twice per year. When evaluating applications, it is critical for CBP to provide timely responses to applicants. As such CBP is directed to, not later than 60 days after receiving a proposal, notify applicants with respect to whether the proposal is complete or incomplete. If deemed incomplete, CBP shall detail what is missing from the application materials and provide an opportunity to resubmit the proposal with the additional information or material. Not later than 180 days after receiving a complete proposal, CBP shall make a determination whether to deny or approve the proposal and notify the private sector or government entity that submitted the proposal of the determination. If CBP denies a request for a donation, the denial should be accompanied by a detailed justification for the denial.

PRECLEARANCE

The Committee provides authority as necessary to collect and spend fees for capital and operations costs from program participants in anticipation of reimbursement and directs CBP to continually evaluate the national and homeland security benefits of both existing and prospective preclearance agreements. To assist ongoing efforts to reestablish international passenger rail service along the northeast rail corridor, the Committee encourages continued analysis of the benefits of initiating preclearance operations at Montreal's Central Station.

ELECTRONIC VISA UPDATE SYSTEM

The Committee recommends \$27,800,000, as requested, for the Electronic Visa Update System [EVUS], a program that allows non-immigrant visa holders to provide updated biographic and travel-related information through a public Web site, and enables CBP to facilitate admissibility determinations post-visa issuance before passengers initiate travel to the United States. While the Committee is disappointed that the corresponding EVUS fee proposal has not yet been transmitted to the Congress, the Committee understands the criticality of this system and the need to meet projected timelines. The Committee directs CBP to expeditiously transmit the proposal so that users of the system, rather than U.S. taxpayers, fund operation and sustainment costs.

INSPECTION AND DETECTION TECHNOLOGY

The Committee recommends \$173,737,000 for Inspection and Detection Technology, including \$54,775,000, as requested, for additional Non-Intrusive Inspection [NII] equipment refresh and recapitalization. The Committee is familiar with the mission need, but disappointed CBP did not provide the multiyear investment and

management plan along with the fiscal year 2017 request as required in the explanatory statement accompanying Public Law 114–113. By not providing industry partners with any visibility into longer-term recapitalization plans, CBP is likely paying a premium for NII equipment, as vendors must either speculatively produce equipment at their own risk or, after contract award, surge production lines in order to meet required delivery timelines. The Committee again directs CBP to provide such a plan with the fiscal year 2018 budget request, and to post an unclassified version of the plan on CBP's Web site.

LAND BORDER WAIT TIMES

The Committee recognizes CBP's continued progress in implementing GAO recommendations in GAO–13–603 regarding flaws in commercial vehicle wait time collection practices at land POEs. The Committee understands CBP is currently evaluating a partnership with the State of Texas to leverage an existing automated collection system at high volume commercial vehicle crossings with its existing Border Wait Times platform. The Committee directs CBP to examine whether this partnership will help realize savings and efficiencies versus manual collection practices, identify potential agency resources which could help cover operations and maintenance of the existing system. The Committee further directs CBP to consider other State, local, or private sector partnerships that can improve the accuracy, usefulness, and transparency of publicly reported commercial wait time data and collection methods in the border environment. Not less than 60 days after the date of enactment of this act, CBP shall brief the Committee on actions taken to improve the accuracy of wait time data.

LAND BORDER OPERATIONS

The Committee is concerned that reducing hours of operation at land POEs could unduly impede cross-border travel and negatively impact local and regional economic activity. The Committee directs CBP to consult with community members and elected officials at all levels of government, as well as industry, prior to making changes, and refrain from reducing the hours of operation at any land POE unless CBP can demonstrate the reduction in hours will not impede local or regional commerce or residential traffic. In addition, the Committee directs CBP to immediately notify the Committee if foreign governments attempt to dictate the location of a new land POE.

HEROIN

CBP is the lead agency for preventing drug trafficking through airports, seaports, and land POEs and plays a significant role in the national drug control strategy. The dramatic influx of heroin and opioids across the borders of the United States has fueled a public health crisis that has claimed the lives of hundreds of thousands of Americans. The work of CBP and its partners in the Department as well as other Federal, State, and local law enforcement agencies across the country has never been more challenging or important. The Committee commends CBP for their ongoing

work in protecting our borders and helping mitigate the flow of illegal narcotics, particularly heroin and opioids.

TRADE ENFORCEMENT

The Committee applauds CBP's ongoing efforts in moving toward the centralization of the administration of the single transaction bonds [STBs] program and development of an automated system for STBs, such as the eBond, in order to improve the collection of revenue owed to the Federal Government. Once fully-deployed, eBond will provide a single, centralized repository for all customs bonds within CBP. This automation will improve oversight and administration of the STB program and allow CBP to more effectively verify the adequacy of STBs. Full deployment of eBond is directly connected to the completion of the ACE system and is expected to be deployed by the end of 2016. The Committee encourages CBP to continue these efforts to eliminate the need for paper STBs at all CBP POEs.

The Committee is pleased that the Trade Facilitation and Trade Enforcement Act of 2015 eliminated a long-standing restriction unintentionally prohibiting the Department of Commerce [Commerce] from sharing proprietary information with CBP vital to determining violations or claims with respect to any provision of the Tariff Act of 1930. The Committee expects the efficiency and effectiveness of enforcement to increase as Federal trade compliance and enforcement agencies share appropriate and necessary information to inform trade enforcement activities.

CBP analysis provides strong evidence to conclude trade fraud and evasion is widespread in many commodity sectors—particularly for goods from China, which account for 65 percent of the antidumping and countervailing duty cash deposits collected. The Committee remains focused on the need for all Federal Government agencies involved in international trade to aggressively enforce existing trade laws. There are specific actions CBP and ICE, together with Commerce, the Departments of Justice [DOJ] and State, and the United States Trade Representative, can take without the need for additional legislation.

The Committee understands that the Centers of Excellence and Expertise support uniformity of processing and enforcement for covered industries and importers. CBP shall continue to brief the Committee annually on efforts to improve enforcement and collection processes.

ANTIDUMPING AND COUNTERVAILING DUTY ENFORCEMENT

The Committee has ensured that, within the amounts recommended in this account, there will be sufficient funds to administer the ongoing requirements of section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c), referenced in subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154).

Although the current retrospective system for addressing antidumping and countervailing duties [AD/CVD] violations may create certain challenges for CBP's ability to collect final duties, CBP is actively pursuing collection of unpaid AD/CVD claims against delinquent importers and sureties. To the extent these duties are un-

able to be collected, CBP shall publicly describe and post on its Web site the dynamics precluding timely collection.

The Committee is aware that dishonest importers often avoid the antidumping duties that have long been imposed on honey imports from China by falsely claiming that imported Chinese honey is produced in another country. The Committee is also aware that honey said to originate from China and other Asian countries is often illegally adulterated by mixing honey with other cheaper sweeteners, like rice syrup. Both of these practices are already illegal, and CBP has taken efforts – often working with ICE—to attack this fraudulent trade. Currently, CBP lacks the state-of-the-art equipment needed to detect both transshipment and adulteration of imported honey. Recently, in trade enforcement litigation involving honey imports from China, a Florida judge rejected CBP's evidence in favor of results from a German testing laboratory. At present, German labs are the forensic authority on this issue and can make necessary determinations. The Committee directs CBP to evaluate the benefits and costs of developing its own capacity to test honey compared to contracting with labs to combat unfair and adulterated honey imports and brief the Committee on the results within 90 days of the date of enactment of this act.

The Committee recognizes the injury domestic producers, including paper producers, suffer as a result of foreign producers transshipping and mislabeling products to avoid the payment of antidumping and countervailing duties. As such, the Committee recommends that CBP allocate funds as necessary for 'live entry summaries' for imports of targeted products, including paper products, currently subject to antidumping or countervailing duty orders in instances where CBP has reason to believe or suspect that (1) the country listed as the country of origin for the imported product does not produce the product; or (2) the imported product has been misclassified or misidentified/mislabeled. The entry summaries shall include supporting documentation regarding the country of origin of the imported product.

The Committee directs CBP to continue submitting the reports on AD/CVD required in Senate Report 112–169 and the explanatory statement accompanying Public Law 113–6, including the same level of detail prescribed in such report and during the timelines prescribed for each report: AD/CVD Actions and Compliance Initiatives, AD/CVD Liquidation Instructions, AD/CVD Collection of Outstanding Claims (consistent with Public Law 103–182), and AD/CVD Collection New Shipper Single Entry Bonds. A version of each report shall be posted on CBP's Web site.

PAYMENTS SUBJECT TO THE CONTINUED DUMPING AND SUBSIDY OFFSET ACT

The Trade Facilitation and Trade Enforcement Act of 2015 prescribes the order in which Continued Dumping and Subsidy Offset Act [CDSOA] payments are allocated between principal and interest. The Committee directs CBP to complete revisions to its distribution processes and practices to comport with this law as soon as possible to ensure domestic producers receive payments they are due under the law.

CBP has yet to provide the Committee the requested bond-by-bond accounting for the STBs that secure duties on entries of honey, crawfish, fresh garlic, and canned mushrooms from China that arrived through fiscal year 2007. CBP had indicated to the Committee that producing such an inventory would be onerous, requiring CBP staff to inventory all STBs at POEs while diverting staff's time away from collecting outstanding duties. The Committee is narrowing its request and directs CBP within 30 days of the date of enactment of this act to report on the total number and total face value of STBs that secure the payment of AD duties for the following: (1) the 2,274 open bills for which STB coverage likely exists, but for which payment has not been received; (2) the 943 open bills issued between March-October 2014 that are still subject to CBP's standard collection process; (3) the 1,150 open bills CBP has referred to DOJ for potential collection lawsuits; and (4) the 181 open bills still under CBP review that may be referred to DOJ.

SHRIMP

In Senate Report 114-68, the Committee directed CBP to assess the availability of data necessary to provide a full and complete picture of the current shrimp import regime. The Committee notes that CBP continues to assemble this information and that ongoing revisions to CBP Form 5106 will include additional data elements about importers to improve CBP's ability to track all importers, including those importing shrimp. The Committee is concerned the Food and Drug Administration [FDA] continues to detect an alarming amount of imported shrimp raised with hormones, antibiotics, and other drugs not approved for use in the United States. Therefore, the Committee directs CBP, in coordination with FDA, to establish a 2-year pilot program to better track shrimp imports by POE, in order to increase enforcement and improve food safety.

The pilot program should use available data to increase targeted enforcement activities with FDA to ensure the safety of imported shrimp and consistent enforcement across U.S. POEs. The pilot program shall focus on enhancing enforcement based on a risk-based analysis of: (1) the frequency and results of CBP and FDA inspections and audits of imported shrimp, including details on the countries, ports, and import volumes involved; (2) current and potential enhancements to information sharing between CBP and FDA and targeting efforts regarding imported shrimp; and (3) current and potential enhancements to measures implemented by CBP and FDA to ensure that shrimp imports rejected from entering at one U.S. port cannot be entered at another U.S. port, including data tracking to reduce the likelihood of successful port-shopping. Not later than 180 days after the date of enactment of this act, the Committee directs CBP to brief on the preliminary results of the pilot, including details on opportunities for enhanced FDA and CBP coordination on improving the safety of shrimp imports into the United States. The report should detail potential enhancements to targeting, as importers or countries targeted by FDA for a higher inspection rate due to food safety concerns should likely be targeted for a higher rate of inspection by CBP. The report may provide an opportunity for CBP to suggest new approaches to improve inspec-

tion for antidumping compliance, such as ideas to avert transshipment of products designed to avoid FDA inspection.

JONES ACT

A general provision is continued prohibiting funds from being used to issue future waivers related to a release from the Strategic Petroleum Reserve until the Secretary has consulted with the Departments of Energy and Transportation and representatives of the U.S. flag maritime industry and taken adequate steps to ensure the use of U.S. flag vessels. The Secretary shall notify the Congress within 2 business days of any request for a waiver, not solely waivers requested to transport oil released from the Strategic Petroleum Reserve. The Committee shall be informed on a timely basis of the disposition of each waiver request.

The Committee notes improvements in the attention to Jones Act enforcement on the Outer Continental Shelf by CBP; however, CBP needs to take aggressive enforcement action and issue meaningful penalties to deter further violations. CBP enforcement actions must carry penalties that are economically significant, swift, and transparent. The Committee again directs CBP to continue to track Jones Act violations and make information available to the public and the Committees on a quarterly basis about specific Jones Act violations, findings of fact, parties determined to be at fault, amount of penalty assessments, and status of collections. Additionally, as previously directed by the Congress, CBP must establish specific timeframes for internal review and action, continue working with the U.S. flag industry to investigate potential violations, and dedicate adequate resources to vigorously enforce the Jones Act on the Outer Continental Shelf.

BIOMETRIC EXIT

The Committee appreciated the update on the ongoing biometric exit pilots but is disappointed that the long awaited biometric exit report included little information on the path forward for this important border security process. Not later than 90 days after the date of enactment of this act, CBP shall provide additional information on the biometric solutions most likely to be adopted, including details on the potential concepts of operations, coordination with airports and airlines, and estimated technology and personnel costs.

PUERTO RICO TRUST FUND

The Committee is disappointed that CBP did not keep ICE apprised of the diminishing collections from the Puerto Rico Trust Fund, and that fiscal year 2016 distributions would likely fall short of the level necessary to maintain current operations costs on the island. The Committee directs CBP to notify ICE if collections will fall short of the level specified in the budget plans ICE submits to CBP consistent with the Memorandum of Agreement signed by both components.

IMMIGRATION DATA

The Committee directs CBP to work with the DHS Office of Immigration Statistics and the DHS OCIO to provide all necessary technical and policy assistance necessary to improve the collection, sharing, and reporting of immigration data throughout the immigration lifecycle.

PRISON RAPE ELIMINATION ACT IMPLEMENTATION

The DHS Prison Rape Elimination Act [PREA] regulations set standards for CBP to prevent, detect, and respond to sexual abuse and assault. The regulations also require CBP to complete audits of holding facilities that “house detainees overnight” by July of 2018. Since DHS issued its PREA regulations, CBP has taken measures, including issuing its zero-tolerance policy and designating a full-time Prevention of Sexual Assault Coordinator, to ensure its offices, stakeholders, and managers are aware of CBP’s roles and responsibilities. CBP shall address all outstanding OIG recommendations highlighted in OIG-16-51 in order to meet PREA’s goal to prevent, detect, and respond to sexual abuse and assault.

AUTOMATION MODERNIZATION

Appropriations, 2016	\$829,460,000
Budget estimate, 2017	840,726,000
Committee recommendation	813,206,000

The automation modernization account includes funds for major information technology systems and services for CBP, including the Automated Commercial Environment [ACE] and the International Trade and Data System projects, and connectivity between and integration of existing systems.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$813,206,000, of which \$433,345,000 is to be available until September 30, 2019. This is \$27,520,000 below the amount requested and \$16,254,000 below the amount provided in fiscal year 2016.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

AUTOMATION MODERNIZATION

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Information technology	363,728	407,206	379,861
Automated Targeting Systems	122,669	122,646	122,617
Automated Commercial Environment/International Trade Data System (ITDS)	151,184	122,591	122,467
Current operations protection and processing support (COPPS) ..	191,879	188,283	188,261
Total, Automation modernization	829,460	840,726	813,206

TARGETING

The Committee staunchly supports CBP's targeting capabilities and, in recommending the requested system enhancements, expects CBP to continue to refine the Automated Targeting System [ATS]. ATS has proven an invaluable tool in identifying and countering terrorist travel and other illicit activity in the global travel and trade systems. The Committee understands that a team at the National Targeting Center continually develops tools to target illicit trade and travel and that products developed by this team result in positive law enforcement outcomes. The Committee recommends \$122,617,000 for automated targeting systems and encourages CBP to effectively maintain, enhance, and build upon the current suite of targeting tools to meet mission needs.

REVENUE MODERNIZATION

The Committee provides the requested \$8,707,000 funding increase for revenue modernization business process improvement, system automation, and associated program management and acquisition activities. CBP shall invest in technologies to eliminate the need for CBP officers to accept cash for any transactions at POEs by 2020. The Committee directs CBP to brief the Committee on the major milestones and resources necessary to achieve this

important outcome within 120 days of the date of enactment of this act.

AUTOMATED COMMERCIAL ENVIRONMENT

The Committee understands that the completion of the transition to ACE requires significant investments for both Federal and industry partners. The Committee fully expects that partner government agencies will prioritize providing the appropriate resources to support this transition. As part of the ACE semiannual briefing, the Committee directs CBP to include an outreach plan to ensure appropriate steps are taken.

INFORMATION TECHNOLOGY

The Committee recommends \$379,861,000 for IT. The Committee is disappointed CBP did not to comply with the direction included in Senate Report 114–68, and failed to provide additional details on both the allocation of base funding, as well as necessary adjustments to the base for IT, in the request. The Committee again directs CBP to provide the Committee with better visibility into CBP's proposed spending of appropriations and other funds executed by the Office of Information Technology in future requests.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

Appropriations, 2016	\$447,461,000
Budget estimate, 2017	329,237,000
Committee recommendation	349,237,000

The Border Security Fencing, Infrastructure, and Technology [BSFIT] account funds the capital procurement and total operations and maintenance costs associated with fencing, infrastructure, sensors, surveillance, and other border security technology.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$349,237,000 for BSFIT, \$20,000,000 more than requested and \$98,224,000 below the amount provided in fiscal year 2016. The Committee recommends the increased funding requested for the Integrated Fixed Towers [IFT] program, reuse of Department of Defense [DOD] equipment, cross-border tunnel threat remediation, tactical aerostats, and relocatable towers. The Committee expects that these investments will be used to address gaps in situational awareness and be networked in a manner that will contribute to the operational picture. To maintain momentum with the IFT program, the Committee encourages CBP to continue planned deployments using prior year unobligated balances. Beyond the funding associated with the IFT program, the Committee is aware of substantial unobligated prior year balances for the BSFIT account and directs CBP to expeditiously complete the many projects funded in prior years.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Development and deployment	273,991	82,620	82,620
Operations and maintenance	173,530	246,617	266,617
Total. Border security fencing, infrastructure, and technology	447,461	329,237	349,237

DEPARTMENT OF DEFENSE REUSE

The Committee directs CBP to continue to expeditiously review and deploy available DOD equipment along the northern and southwest borders. This equipment has proven effective in dramatically increasing situational awareness and acting as a force multiplier in the field.

TETHERED AEROSTATS

The Committee recommends \$40,144,000, as requested, for operations and maintenance of the tethered aerostat radar systems [TARS] in CBP's inventory. The TARS program is a multi-mission capability that supports both counternarcotics enforcement and air domain awareness. The program has assisted CBP with interdicting suspect aircraft for over 20 years, and as a result, operations and maintenance costs are increasing as recapitalization costs are looming. The Committee directs CBP to allocate any cost savings realized from other programs to replace obsolete wind profilers, transmitters, and other components whose increased failure rates have contributed to system downtime.

TACTICAL AEROSTATS AND RELOCATABLE TOWERS

The Committee provides \$25,683,000 for this important DOD reuse technology, and directs CBP to evaluate the benefits of tactical aerostats against other persistent threat detection systems to ensure the correct mix of technology is deployed along our borders. Within the total provided, the Committee further directs CBP, after completing this evaluation, to deploy the technology which most effectively meets operational requirements and improves situational awareness.

BORDER ROADS AND TACTICAL INFRASTRUCTURE

The Committee urges CBP to work with counties along the United States-Mexico border to identify unimproved county roads which are predominantly used by the Border Patrol and that provide critical access to the border region for the purpose of maintaining border security. The Committee is aware of substantial requirements for repairs to tactical infrastructure and that additional funding is necessary to complete projects essential to officer safety. An additional \$20,000,000 is recommended for critical repairs to federally-owned roads and tactical infrastructure, and the Committee directs CBP to provide the Committee with a spend plan for these funds and anticipated future requirements within 60 days of the date of enactment of this act.

AIR AND MARINE OPERATIONS

Appropriations, 2016	\$802,298,000
Budget estimate, 2017	798,277,000
Committee recommendation	857,000,000

The CBP AMO account funds the salaries and expenses, capital procurement, and operations and maintenance costs of the CBP air and marine program and provides support to other Federal, State, and local agencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$857,000,000 for AMO, of which \$541,668,000 is to remain available until September 30, 2019. This is an increase of \$58,723,000 above the request and \$54,702,000 above the amount provided in fiscal year 2016. The procurement recommendation includes three Multi-role Enforcement Aircraft, requested UH-60 Black Hawk recapitalization, as well as funding for light duty enforcement helicopters necessary to replace lost aircraft.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

AIR AND MARINE OPERATIONS

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Salaries and expenses	300,429	330,009	315,332
Operations and maintenance	409,969	399,651	416,951
Procurement	91,900	68,617	124,717
Total, Air and Marine Operations	802,298	798,277	857,000

The Committee strongly supports CBP's continued efforts to recapitalize its air and marine assets to ensure that interdiction agents' hours spent both in the air and on the water are used effectively and improve situational awareness.

EFFECTIVE USE OF ASSETS

The Committee has directed AMO to better measure the effectiveness of flight hours, and is pleased that a capabilities gap process is underway. It is critical that this process fully involve the Border Patrol, Homeland Security Investigations (HSI), and OFO. The Committee notes that AMO has not recently provided the Committee with a robust, multiyear capital plan detailing AMO's longer-term recapitalization and operations and maintenance requirements. The Committee directs AMO to brief the Committee within 60 days of the date of enactment of this act on the state of the current fleet, detailing whether aircraft are fully operational and being used or receiving major maintenance, as well as an estimated replacement schedule for each aircraft. The need for such a briefing became apparent as the Committee only recently learned that several aircraft had permanently been taken out of service. The Committee anticipates that the estimated replacement schedule will tie to the results of the C-GAP process, and, as a result,

could include a re-prioritized mix of air, marine, and riverine assets.

UNMANNED AERIAL SYSTEMS

The Committee fully supports AMO's use of unmanned aerial systems [UAS] to provide unparalleled capabilities for long duration land border and maritime detection, tracking, interdiction, and domain awareness. CBP has continually expanded its sensor mix, matured its concept of operations and pursued innovations that will promote long-range, independent UAS operations, and enhance safety of flight. CBP, in close coordination with the Federal Aviation Administration [FAA], continues to explore technology required to operate autonomously in the national airspace. Test and evaluation of a new Due Regard Radar [DRR], which provides airborne "sense-and-avoid" capability, is in progress using a CBP UAS. The ability to detect and track both cooperative and non-cooperative aircraft will also allow independent operations in international airspace, including the maritime drug source and transit zones. It will also serve as a test bed supporting the development of FAA national policy on the safe use of high-end UAS in the national airspace system.

The Committee commends CBP for increasing UAS flight hours 19 percent from 4,611 in fiscal year 2014 to 5,502 in fiscal year 2015, despite loss of one operational system late in fiscal year 2014. While flight hours have increased, the Committee understands the presence of multiple configurations of UAS within the fleet strains CBP's engineering resources, increases operating costs and aircrew workload, and also impacts operations, as older configurations of the UAS cannot be equipped with the most effective sensors. In addition, replacement software, antennae, and modems must be upgraded in order to increase the effectiveness of UAS flight hours. The Committee recommends \$17,300,000 above the request to upgrade the UAS fleet to address the challenges and increase operational flight hours.

In addition, the Committee directs the Department to report on the number of times that CBP UAS are used in response to a specific request to support State, local, and tribal law enforcement entities in the prior fiscal year.

LIGHT ENFORCEMENT HELICOPTER

CBP's light enforcement helicopters are critical to supporting its border security mission and other law enforcement activities that have a nexus to DHS authorities. The helicopters fly 42,000–45,000 flight hours per year, nearly half of AMO's annual flight hours. Yet, CBP's inventory of these helicopters has diminished by five due to recent accidents and could be reduced further with three airframes approaching their third 12-year major inspection cycles. The Committee recommends an additional \$31,500,000 for the current light enforcement helicopter requirement. Given the purpose of fleet sustainment, DHS is developing a streamlined procurement process for this effort and any similar future efforts.

CONSTRUCTION AND FACILITIES MANAGEMENT

Appropriations, 2016	\$340,128,000
Budget estimate, 2017	305,754,000
Committee recommendation	296,400,000

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, customs, and alien registration.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$296,400,000 for construction and facilities management activities of CBP, to remain available until September 30, 2021. This is \$9,354,000 below the amount requested and \$43,728,000 below the amount provided in fiscal year 2016. The Committee understands that CBP has been pursuing government-wide initiatives to limit the growth of the Federal real estate footprint and directs CBP to continue these efforts both at headquarters and in the field.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

CONSTRUCTION AND FACILITIES MANAGEMENT

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Facility construction and sustainment	255,378	224,289	217,289
Program oversight and management	84,750	81,465	79,111
Total, Construction and facilities management	340,128	305,754	296,400

BROWN FIELD STATION

The Committee is disappointed that CBP requested partial funding of \$25,000,000 for the Brown Field Station in California, an amount described in the budget submission as being \$8,000,000 short of the station's total construction cost. The recommended level includes \$33,000,000, the amount necessary to begin construction, recognizing administration policy would preclude this critical project going forward until fully funded.

FACILITIES SPENDING

The Committee notes that, aside from the proposed spending for the Brown Field Station, the budget request lacks details on the plans for major projects, including significant maintenance projects. The Committee recognizes that many CBP facilities are in need of repair and directs CBP to provide an inventory of all projects whose costs will exceed \$100,000 with the fiscal year 2018 request. The Committee is concerned that CBP is not using all of its real property effectively, as highlighted by underutilized warehouse space detailed in OIG-15-138. The Committee directs CBP to regularly review its usage of all real property, whether owned or leased, and terminate or downsize leases and dispose of unneeded real property, as appropriate.

5-YEAR CONSTRUCTION PLAN

The Committee reminds CBP that Public Law 112-74 made permanent the requirement that a 5-year plan for all Federal land POEs be submitted annually with the President's budget request. The Committee directs the Department to continue to work with the General Services Administration on its nationwide strategy to prioritize and address infrastructure needs at land POEs and to comply with the requirements of the Public Buildings Act of 1959 (40 U.S.C. 3301) and seek necessary funding.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SUMMARY

U.S. Immigration and Customs Enforcement [ICE] is responsible for enforcing immigration and customs laws and detaining and removing deportable or inadmissible aliens.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$6,311,984,000, including direct appropriations of \$5,963,984,000, and estimated fee collections of \$348,000,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—FUNDING SUMMARY

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Appropriations:			
Salaries and expenses	5,779,041	5,861,976	5,934,184
Automation modernization	53,000	43,230	29,800
Construction		7,000	
Total, Appropriations	5,832,041	5,912,206	5,963,984
Estimated Fee Collections:			
Immigration inspection user fee	135,000	135,000	135,000
Breached bond/detention fund	42,000	42,000	42,000
Student exchange and visitor fee	145,000	145,000	171,000
Total, Estimated fee collections	322,000	322,000	348,000
Total, U.S. Immigration and Customs Enforcement	6,154,041	6,234,206	6,311,984

SALARIES AND EXPENSES

Appropriations, 2016	\$5,779,041,000
Budget estimate, 2017	5,861,976,000
Committee recommendation	5,934,184,000

The ICE Salaries and Expenses account provides funds for the enforcement of immigration and customs laws, intelligence, and detention and removals. In addition to directly appropriated resources, funding is derived from the following offsetting collections:

Immigration Inspection User Fee.—ICE derives funds from user fees to support the costs of detention and removals in connection with international inspections 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, and schools and universities to certify and monitor participating schools, and to conduct compliance audits.

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 the Immigration and Nationality Act to support the cost of the detention of aliens.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$5,934,184,000 for Salaries and Expenses of ICE for fiscal year 2017. This is \$72,208,000 above the request and \$155,143,000 above the amount provided in fiscal year 2016. The Committee includes bill language placing a \$35,000 limit on overtime paid to any employee; making up to \$10,000,000 available for special operations; making up to \$2,000,000 available for the payment of informants; making up to \$11,216,000 available to reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; making not less than \$305,000 available for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; making not less than \$5,400,000 available to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act; making \$15,770,000 available for activities to enforce laws against forced child labor, of which \$6,000,000 shall remain available until expended; making up to \$11,475 available for official reception and representation expenses; and making a total of \$18,300,000 available until September 30, 2018, for the Visa Security Program [VSP] and international operations postings.

The Committee recognizes ICE continues to have several hundred staffing vacancies and is taking action to fill these vacancies. The amount recommended by the Committee annualizes the special agent, attorney, enforcement and removal officer, and support positions projected to be filled by the end of fiscal year 2017.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Headquarters, management, and administration:			
Personnel compensation and benefits, services, and other costs	190,880	203,015	191,019
Headquarters-managed IT investment	148,957	161,474	161,783
Subtotal, Headquarters, management, and administration	339,837	364,489	352,802
Legal proceedings	239,894	268,393	257,787
Investigations:			
Domestic investigations	1,761,829	1,892,183	1,844,231
International operations	107,210	114,255	113,551
Visa Security Program	32,561	32,496	45,484
Subtotal, Investigations	1,901,600	2,038,934	2,003,266
Intelligence	79,768	81,996	80,141
Enforcement and removal operations:			
Custody operations	2,316,744	2,178,963	2,321,866
Fugitive operations	156,572	133,133	151,129
Criminal Alien Program	317,177	347,455	318,091

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES—Continued

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Alternatives to detention	114,275	125,966	124,866
Transportation and Removal Program	313,174	315,647	324,236
UAC Contingency Fund		7,000	
Subtotal, Enforcement and removal operations	3,217,942	3,108,164	3,240,188
Total, Salaries and expenses	5,779,041	5,861,976	5,934,184

METRICS AND DATA SYSTEMS

The Committee continues to believe ICE must modernize its data systems, capture the information necessary to assess its effectiveness, and report to the public on its activities. It is vital that ICE improve its ability to report on each step of the immigration enforcement and criminal justice lifecycles, including how and why aliens are encountered by law enforcement, and what decisions are made regarding their processing, including use of discretion and all of the factors considered when decisions are made on disposition. This necessarily includes whether or not aliens are put into removal proceedings and detained, a review of their prior arrests and convictions, and their level of criminality, gang affiliation, and other appropriate attributes.

In fiscal years 2015 and 2016, the Committee directed ICE to report on gang affiliations for aliens it encounters, yet ICE has proven unable to provide this information. The continued inability to report contrasts sharply with how quickly ICE was able to modify its data systems when faced with a requirement from the administration to dramatically retool systems in support of revised enforcement priorities. However, ICE did seek assistance in assessing its data needs and systems by contracting with the Homeland Security Systems Engineering and Development Institute [HSSEDI] for a plan and recommendations. HSSEDI provided a framework for improvements and, recognizing that further investments were needed to improve data management, the Congress provided an additional \$3,000,000 in fiscal year 2016 to proceed with some of the necessary activities outlined by HSSEDI. Unfortunately, ICE's commitment to data management is not reflective of the Committee's consistent direction to address systemic policy and data gaps, as ICE does not have an individual in place to lead this important effort, and also failed to request funding to continue this effort for fiscal year 2017.

The Committee recommends an additional \$6,000,000 for a comprehensive plan for immigration data improvement, and directs ICE to dedicate permanent staffing resources for its enterprise data management efforts and improve component-wide information governance practices in conjunction with the DHS Office of Immigration Statistics, and all Federal agencies with roles in the immigration enforcement lifecycle. The head of this effort should be a Chief Data Officer and report to the Deputy Director of ICE, at least until immigration data management efforts have reached maturity, with resources coordinated as necessary with the Enforcement and

Removal Office [ERO] as well as the Chief Information Officer. This office will execute the recommendations made by HSSEDI and work with the Department's Digital Services staff to develop several pilots to more rapidly improve ICE's desired end-state for immigration data management including data collection standards, data quality practices, and common reporting methodologies. Pilot results shall be presented to the Committee upon completion and inform the development of a longer-term strategy for modernizing critical immigration data operations at ICE. The bill includes a provision withholding \$100,000,000 from ICE's Salaries and Expenses account until the Director submits a comprehensive plan for immigration data improvement, and the Committee directs the plan to detail requirements necessary to report on gang membership as required in Senate Report 114-68. The plan should prioritize steps necessary to get the best possible information into the hands of the frontline officers, while also collecting details on immigration enforcement decision-making, including details on the use of prosecutorial discretion.

IMMIGRATION ENFORCEMENT

The Committee has consistently provided ICE ERO with the resources necessary to implement enacted immigration laws and expects that ICE will utilize these resources in a manner transparent to the Committee as well as the public.

ICE's most recent annual enforcement statistics show that the number of alien removals continues to decline. In fiscal year 2015, ICE removals totaled 235,413 aliens, compared with 315,943 removed in fiscal year 2014. While the Administration has indicated enforcement resources would be targeted based on the risk an alien poses to their community, the number of convicted criminal aliens removed dropped from 176,928 in fiscal year 2014 to 139,368 in fiscal year 2015. The overwhelming majority of the total removals are the result of CBP apprehensions at or near the border, as ICE is targeting and removing only a limited subset of immigration violators from the interior of the United States dropping by 37,560 from fiscal year 2014 to fiscal year 2015. The Committee is concerned that ICE's budget request would justify this downward trend and continue it in fiscal year 2017. Maintaining an adequate number of detention beds is critical to ensuring the integrity of our entire immigration enforcement system, including border enforcement. The request cuts the total number of detention beds by more than 2,000 when compared to the average daily population so far this fiscal year. The recommended funding level includes \$143,000,000 above the request so that ICE can maintain an average daily population of 34,000, and the Committee expects ICE to vigorously enforce all immigration laws under its purview.

CUSTODY OPERATIONS CONTRACTING

The fiscal year 2017 budget request assumes substantial savings reductions to the daily rates for family residential centers, and ICE assumed such savings without consulting with industry or public sector service providers. It is unlikely ICE will realize the 50 percent savings assumed in the budget before fiscal year 2016 ends, so ICE will need to, at a minimum, temporarily exercise options to

extend operations with current providers into fiscal year 2017. The Committee recommends an additional \$50,000,000, the cost of two months of service at the Dilley Family Residential Facility, to sustain ICE's commitments and directs ICE to immediately notify the Committee if ICE determines the daily rate savings assumed in the request will not be realized.

OFFICE OF THE PRINCIPAL LEGAL ADVISOR

The Committee recommends \$257,787,000 for the Office of the Principal Legal Advisor [OPLA], including continued support for new positions funded in 2016. The Committee understands that OPLA will not be able to hire all of the attorneys being deployed to field offices in fiscal year 2016 and has adjusted the OPLA funding recommendation accordingly.

INVESTIGATIONS

The Committee recommends a total of \$1,844,231,000 for HSI domestic investigations. Within the total, up to \$66,000,000 is for the replacement of vehicles and tactical radios. The Committee recognizes that HSI is currently recruiting and onboarding many new investigators, and that many will not be on board until late in calendar year 2017. The Committee directs ICE to continue the \$10,000,000 increased level of effort for visa overstay enforcement as directed in the explanatory statement accompanying Public Law 114–113, and directs ICE to use the system enhancements and studies funded in fiscal year 2016 to increase HSI's investigative level of effort for overstay enforcement in fiscal year 2017. ICE shall brief the Committee on ICE's overstay enforcement efforts, including activities in support of the Department-wide activities described in title I of this report, within 60 days of the date of enactment of this act. The Committee further directs ICE to continue to dedicate \$10,000,000 for expanded investigations into severe forms of human trafficking and against suspected human traffickers, as directed in the explanatory statement accompanying Public Law 114–113. Further, ICE shall maintain its relationship with the National Center for Missing and Exploited Children supporting investigations and other activities to counter child-exploitation.

HUMAN TRAFFICKING

ICE plays a critical role in investigating criminal organizations trafficking individuals into and within the United States. The Committee encourages DHS to continue working with appropriate non-profit organizations and victim service providers to improve the training of ICE officers in the field assisting in the identification of human trafficking victims, especially children, and provide appropriate referrals to victim service organizations. The Committee also directs ICE to report not later than 180 days after the date of enactment of this act on the feasibility and costs associated with partnering with appropriate non-governmental organizations on a human trafficking victim witness coordinator program.

HERO CHILD RESCUE CORPS

The Committee continues to support the Human Exploitation Rescue Operative [HERO] Child Rescue Corps program. For fiscal year 2016, it is anticipated that HSI will train approximately 40 HERO participants in two classes. The Committee expects ICE to allocate not less than \$1,000,000 in available funds to hire, train, and equip wounded, ill, or injured veterans as digital forensic analysts or investigators to support child exploitation investigations. The Committee directs HSI, in consultation with DHS OCHCO, to study the potential costs and policy implications of providing compensation to those participating in HERO internships.

GANGS

The Committee supports the work of the National Gang Unit and encourages ICE to continue its investigations of gangs of national significance. Gangs are perpetuating much of the violence in our major urban areas while also engaging in a variety of illicit activity including international drug, gun, and human trafficking. The Committee remains concerned about increasing gang violence and criminal activity in many parts of our Nation and directs ICE to continually track gang membership amongst fugitives as well as the detained and non-detained populations.

WAR CRIMES INVESTIGATIONS

The Committee continues to be concerned by the large number of suspected human rights violators from foreign countries who have found safe haven in the United States. As directed in Senate Report 114-68, ICE shall allocate not less than \$5,300,000 for expenses, including but not limited to hiring additional OPLA Human Rights Law Section and HSI Human Rights Violators and War Crimes Unit personnel, training, and transportation.

TRADE COMPLIANCE AND ENFORCEMENT

The Committee directs not less than \$15,000,000 to support intellectual property rights [IPR] and commercial trade fraud investigations, including undercover equipment, translation and transcription of court-ordered wiretaps, commercial fraud training, and outreach at the National IPR Coordination Center [NIPRCC]. The Committee notes ICE's emphasis on goods potentially dangerous to Americans, but also encourages ICE to consider the deterrent value of its investigations, as well as the potential financial impact criminal activities have on U.S. companies, when establishing its investigative priorities. The Committee urges the NIPRCC to prioritize staff and enforcement to combating online copyright piracy and supporting copyright owners' efforts to curtail piracy, and directs ICE to brief the Committee not later than 90 days after the date of enactment of this act on efforts to increase online copyright piracy enforcement activities.

STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM AND ENFORCEMENT

The Student and Exchange Visitor Information System [SEVIS] was launched in 2002 to mitigate critical vulnerabilities exploited

by the 9/11 hijackers. The Committee understands that ICE has worked to develop a robust peer-reviewed acquisition strategy to replace SEVIS with an updated system which will expand functionality and address current vulnerabilities. The Committee directs ICE to incorporate features into the new system to improve information sharing with Federal partners and provide for overstay enforcement and reporting. The Committee notes \$171,000,000 of fee spending for SEVIS, \$26,000,000 more than the request, is available to expedite system development and dedicate additional investigative hours to ensure students who fail to comply with the terms of their visas face appropriate consequences.

LAW ENFORCEMENT SUPPORT CENTER

The Committee continues funding of \$34,500,000 for resources and full-time law enforcement personnel at the Law Enforcement Support Center [LESC] and recommends that ICE ensure that current operations being carried out at the LESC remain centralized at the LESC facility and are not unnecessarily duplicated in other parts of the country.

INTERNATIONAL INVESTIGATIONS

The Committee recommends \$113,551,000 for international operations and \$45,484,000 for VSP. Of the total amount provided for VSP, \$18,300,000 is available for obligation through September 30, 2018, due to the lengthy period of time it takes to place ICE personnel abroad. In fiscal year 2017, ICE is directed to maintain or increase the level of effort for international investigations to disrupt transnational criminal organizations involved in bringing children from Central America to the U.S. border.

The Committee directs ICE to review the current IT equipment and level of connectivity supporting its personnel abroad and upgrade as necessary to ensure these personnel are provided with the tools and connectivity necessary to perform their mission in an effective manner.

INTERNATIONAL MEGAN'S LAW

The Committee applauds ICE's efforts to combat international child exploitation. Through Operation Angel Watch, a joint effort with CBP and the U.S. Marshals Service, HSI and its partner agencies use publically-available sex offender registry information and passenger travel data to strategically alert foreign law enforcement partners through HSI attaché offices of a convicted child predator's intent to travel to their country. This information is provided to foreign law enforcement for action as they deem appropriate. In fiscal year 2015, a total of 2,172 Angel Watch referrals were sent to over 95 countries around the globe as a preemptive notification to foreign law enforcement in the fight to stop child sex tourism. These referrals resulted in 1,067 denials to enter these countries.

The recently-enacted International Megan's Law significantly expands the U.S. Government's efforts to protect children around the world from sexual predators. The law builds on HSI's Operation Angel Watch by authorizing an enhanced Angel Watch Center

within ICE's Child Exploitation Investigations Unit. In addition to formally authorizing and expanding activities already conducted under Operation Angel Watch, the law also grants the Angel Watch Center the authority to receive advance notice of incoming foreign sex offenders. The Committee directs ICE to allocate no less than \$5,000,000 to support HSI's implementation of International Megan's Law in fiscal year 2017, and directs ICE to brief the Committee semiannually on efforts to protect children around the world from sex tourism.

SEX OFFENDER REGISTRY

The Committee understands that ICE has improved notification of enforcement authorities and regulatory State organizations through the Sex Offender Registration and Notification Act [SORNA] exchange portal when ICE releases an individual in their jurisdiction who has a registration requirement. However, the Committee is concerned that ICE's current sex offender notification and reporting tools and practices do not result in all local law enforcement officials receiving the information ICE enters into the SORNA exchange portal. An additional \$2,000,000 is provided to identify potential information gaps, and then address these gaps to ensure information is provided in real time on ICE detainees with sex and/or violent offender records to jurisdictions where they plan to reside. ICE shall keep the Committee apprised as it takes steps to address these gaps.

PRIORITY ENFORCEMENT PROGRAM

The Priority Enforcement Program [PEP] helps ICE address some of the community safety problems and enforcement gaps presented when States and localities are unwilling or unable to honor ICE detainers placed on criminal aliens while they are incarcerated. State and local law enforcement agencies declined a total of 18,753 detainers from January 1, 2014, through the end of fiscal year 2015. This total represents 10 percent of the 213,812 detainers prepared during this time period, and ICE's application of its enforcement priorities to detainers means that aliens posing threats to national security, border security, and public safety, as well as immigration violators, were released into society. The Committee directs ICE to brief the Committee quarterly on efforts to increase PEP compliance, and detail the number of aliens released by the jurisdictions which fail to honor the largest number of requests from ICE and their crimes. In order to help protect Americans from dangerous criminals released into the community, the Committee directs ICE to evaluate how the Committee-directed enhancements to the sex offender notification system could be leveraged to notify State and local police of the releases of criminals from prison, and brief the Committee within 90 days of the date of enactment of this act on this evaluation. The Committee further directs ICE to notify communities immediately and report quarterly on instances when either ICE, or State and local authorities, plan to release from custody a criminal alien who could be lawfully detained pending removal proceedings, and has been previously convicted of a felony crime of violence or a felony sex crime.

ALTERNATIVES TO DETENTION

The Committee recommends \$124,866,000 for the Alternatives to Detention [ATD] program. This level supports the total number of participants included in the request and is \$10,591,000 above the enacted level. The Committee directs ICE to continue exploring the use of the most effective ATD models, and prioritize the use of such detention alternatives for families as appropriate.

MOBILE CRIMINAL ALIEN TEAMS

The Committee directs ICE to continue support for 10 new Mobile Criminal Alien Teams [MCAT] funded in 2016. The Committee understands that MCAT officers continue to be hired and trained and that ICE is working expeditiously to expand the capability to identify at-large criminal aliens. When dangerous criminals are released from jail or are otherwise present in communities around the United States, MCATs are necessary to respond to threats to public safety by supplementing immigration enforcement efforts targeted against at-large criminal aliens, to include sexual offenders, drug traffickers, gangs, fugitives, and other violent felons.

STAYS OF REMOVAL

The Committee directs ICE to detail the policies governing ICE personnel, including Field Office Directors, exercising discretion to grant stays of removal, and provide a report detailing, by field office, the number of and reasons for stays of removal being granted during each of fiscal years 2012 through 2015. This is information that ICE should be able to produce on an annual basis going forward.

287(G) AGREEMENTS

The Committee is aware of jurisdictions waiting longer than 5 years for decisions from ICE on requests for 287(g) agreements. While ICE can choose not to enter into 287(g) agreements, it is wholly unacceptable that ICE has not responded to applicants. The Committee directs ICE to respond to requests within 4 months of receiving a complete request from a jurisdiction.

COMMUNITY OUTREACH

The Committee directs ICE to ensure Victim Witness Coordinators and Community Outreach Officers develop, support, and maintain partnerships necessary to provide assistance to U.S. citizens who are victims of crimes committed by aliens. ICE shall provide the Committee with the job description for these new positions that includes that responsibility.

DETENTION FACILITY INSPECTIONS

The Committee directs ICE to report quarterly on the number of detention facility inspections and reviews, including details on the results of the reviews and estimated cost of the reviews. The Committee urges the submission of all immigration detention facility inspections and reviews directly to OIG prior to any changes, corrections, or edits made by ICE personnel.

AUTOMATION MODERNIZATION

Appropriations, 2016	\$53,000,000
Budget estimate, 2017	43,230,000
Committee recommendation	29,800,000

The Automation Modernization account provides funds for major IT projects for ICE.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total of \$29,800,000, \$13,430,000 less than the request and \$23,200,000 below the amount provided in fiscal year 2016. These funds are to remain available until September 30, 2019. The recommended level is consistent with prior year levels and reflective of ICE's capacity to deliver longer term IT projects. The Committee notes ICE has not yet obligated any of the funds provided for critical projects in fiscal year 2016.

AUTOMATION MODERNIZATION

[In thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Consolidated ICE Financial Solution	5,000	11,800	11,800
TECS modernization	21,500	21,000	16,000
IT Refresh	4,000	10,430	2,000
Tactical Communications	18,500		
ICE Operational Data Store	4,000		
Total, Automation Modernization	53,000	43,230	29,800

TECS MODERNIZATION

The Committee encourages ICE to continually assess projected operations and maintenance costs during the development period and weigh the benefits of enhanced system functionality against any increases in recurring operating costs, particularly costs related to bandwidth and data requirements. The Committee recommends a funding level in line with projected fiscal year 2017 obligations.

CONSOLIDATED ICE FINANCIAL SOLUTION

The Committee recommends \$11,800,000, as requested, for the Consolidated ICE Financial Solution [CIFS] and directs ICE to brief the Committee on the projected costs and timeline for CIFS completion within 90 days of the date of enactment of this act.

CONSTRUCTION

Appropriations, 2016	
Budget estimate, 2017	\$7,000,000
Committee recommendation	

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, detention, and alien registration.

COMMITTEE RECOMMENDATIONS

The Committee recommends no funding for this account. The Committee notes that up to \$45,000,000 is provided within the Salaries and Expenses account for necessary facilities expenses at both ICE-owned and leased properties.

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. Separate appropriations are provided for the following activities within TSA: aviation security including Federal Air Marshals; surface transportation security; intelligence and vetting; and transportation security support.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$7,668,504,000 and a net of \$5,075,455,000 for the activities of TSA for fiscal year 2017.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

TRANSPORTATION SECURITY ADMINISTRATION

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Aviation Security	5,719,437	5,820,807	5,898,382
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)
Surface Transportation Security	110,798	122,716	122,716
Intelligence and Vetting (direct appropriations)	236,693	231,132	231,132
Intelligence and Vetting (fee-funded programs)	199,153	213,049	213,049
Transportation Security Support	924,015	951,375	953,225
Total, Transportation Security Administration (gross) ..	7,440,096	7,589,079	7,668,504
Aviation Security Fees	- 2,130,000	- 2,130,000	- 2,130,000
Additional Offsetting Collections (leg. proposal)		- 880,000	
Aviation Security Capital Fund (mandatory)	- 250,000	- 250,000	- 250,000
Fee-funded programs	- 199,153	- 213,049	- 213,049
Total, Transportation Security Administration (net) ..	4,860,943	4,116,030	5,075,455

AVIATION SECURITY

Appropriations, 2016	\$5,719,437,000
Budget estimate, 2017	5,820,807,000
Committee recommendation	5,898,382,000

The Aviation Security account provides for Federal aviation security, including screening of all passengers and baggage, deployment of on-site law enforcement, continuation of a uniform set of background requirements for airport and airline personnel, and deployment of explosives detection technology.

The aviation security activities include funding for: Federal transportation security officers [TSOs] and private contract screeners; air cargo security; procurement, installation, and maintenance of explosives detection systems [EDS]; checkpoint technologies and support; airport management and support; Federal Air Marshals and other aviation regulation and enforcement activities.

For the second year in a row, TSA delivered a budget that the Department knew was inadequate when transmitted. Moreover, since February, TSA has described to the Congress myriad changes

it requires. While the budget building process begins years before the year of execution, it is inaccurate to claim that an agency can not update assumptions or make changes as necessary prior to submission, particularly to support the security of the American people. The President's budget is the agency's opportunity to be transparent to travelers that appropriate staff will be present to ensure a safe, efficient experience at the checkpoint. Similarly, acquisitions and procurements detailed in the budget are a signal to industry about mission needs and the agency's desire to continue a current effort or partnership. Given challenges with the accuracy of the budget, it rests with the Committee to accurately describe the demands TSA believes it faces.

To meet critical, unfunded needs within TSA, the Committee provides \$5,898,382,000 in gross discretionary appropriations for the Aviation Security account. This is \$178,945,000 more than fiscal year 2016 enacted and will support the following:

- Mitigate wait times by providing 1,344 personnel to staff checkpoints while ensuring appropriate security.
- Increase expedited passenger throughput, and support airport security with 50 additional canine teams. These teams will include Passenger Screening Canines as well as teams provided by TSA to State and local law enforcement.
- \$27,800,000 to invest in TSA's Next Carry-on Baggage X-Ray solution, as well as funds to better integrate new technology through the Innovation Task Force [ITF].
- \$7,200,000 to expand the current fleet of Explosive Trace Detection [ETD] systems.
- Additional support to the Federal Flight Deck Officer [FFDO] program to ensure that unfunded needs are met and that training classes are available to pilots interested in participating.

While these steps will mitigate wait times, the anticipated growth in passenger volumes cannot be met effectively merely by hiring more and more TSOs. It is incumbent on TSA to make better use of the people it has and, through the Innovation Task Force, find more efficient ways to move travelers through space constrained airports.

Finally, and with respect to these airports, the Committee encourages TSA to carefully consider proposals from their key stakeholders who offer a wealth of knowledge and experience. Suggestions on how to more effectively deploy personnel during peak times as well as devolving additional manpower control to local leadership should all be considered. To the extent the Congress can act on these suggestions it has, including providing additional funding for canine teams, overtime and accelerated hiring, and support for expedited screening programs. The commercial aviation sector—and multi-modal locations in general—remain a target of terrorist organizations worldwide and the Department will need to lead a total unity of effort across the public and private sectors to combat this threat.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$5,898,382,000 for aviation security activities. This is \$178,945,000 above the fiscal year 2016 enacted

level and \$77,575,000 above the amount requested. Of this amount, the Committee recommends not to exceed \$7,650 for official reception and representation expenses.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

AVIATION SECURITY

(in thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Screening Partnership Program	166,928	170,382	170,382
Screening Personnel, Compensation, and Benefits	2,973,839	3,045,941	3,088,302
Screener Training and Other	239,025	235,668	240,388
Checkpoint Support	111,201	115,305	115,305
EDS Procurement/Installation	82,168	82,939	82,939
Screening Technology Maintenance	280,509	280,500	280,500
Aviation Regulation and Other Enforcement	337,345	349,687	374,042
Airport Management and Support	597,899	598,724	602,163
FFDO and Flight Crew Training	20,758	19,773	22,473
Air Cargo	104,689	106,575	106,575
Federal Air Marshals	805,076	815,313	815,313
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)
Total, Aviation Security	5,719,437	5,820,807	5,898,382

AVIATION SECURITY FEES

Despite statutory language to the contrary, TSA has again assumed offsetting collections that were not enacted into law, resulting in \$880,000,000 of unfunded needs. This budget gimmick has been used before and, for that reason, was statutorily prohibited. Its use again requires this Committee to not only find these funds within its allocation, but also to identify additional funds for the unfunded priorities discussed in this report.

SCREENING PARTNERSHIP PROGRAM

The Committee recommends \$170,382,000 for the Screening Partnership Program [SPP], as requested. The recommendation includes the necessary funds for security at airports where private screening contracts are in place, including four airports recently added to the program.

The Committee acknowledges the important alternative SPP provides TSA airports in deciding to "opt-out" and request private screening support instead of Federal screeners. Commensurate with the Committee's interest in this program, TSA shall notify the Committee within 10 days of any changes in private screening contracts, including new awards under the SPP, or the movement from privatized screening to Federal screening.

SCREENER PERSONNEL, COMPENSATION, AND BENEFITS

The Committee recommends \$3,088,302,000 for Screener Personnel, Compensation, and Benefits. This is \$42,361,000 above the amount requested and \$114,463,000 above the amount provided in fiscal year 2016. Of this amount, an additional \$42,361,000 is included above the request to support 612 FTE, which is 1,344 personnel, who will be critical to mitigating wait times while main-

taining appropriate security. This is the second year in a row the Committee has added major personnel resources, for a total more than 1,900 personnel above the President's request in the last 2 years.

SCREENER TRAINING AND OTHER

The Committee recommends \$240,388,000 for Screener Training and Other. This is \$4,720,000 above the amount requested and \$1,363,000 above the amount provided in fiscal year 2016. This funding will continue robust training for TSA personnel at the Federal Law Enforcement Training Center and locally.

CHECKPOINT SUPPORT

The Committee recommends \$115,305,000 for Checkpoint Support. This is the same amount as requested and \$4,104,000 above the amount provided in fiscal year 2016. Funds are provided to field test and deploy equipment for passenger screening, carry-on baggage screening, checkpoint reconfiguration, electronic surveillance of checkpoints, and operational integration of systems. Currently deployed technologies include walk-through metal detectors, ETD, bottled liquid scanners, chemical analysis devices, advanced technology systems, and Advanced Imaging Technology [AIT].

Unfortunately, checkpoint purchases for fiscal year 2017 as outlined in the budget request were outdated on arrival of the President's budget. Modifications within this account represent targeted movements of funds to other priorities identified by TSA. Of the funds provided, the Committee includes \$7,200,000 to procure and deploy new ETD systems to expand the overall fleet of ETDs; \$12,800,000 to research and make initial procurements of the Next Carry-on Baggage Screening Capability; \$15,000,000 to support ITF; and \$15,000,000 to further connectivity of transportation security equipment at the checkpoint.

The Committee expects TSA to be transparent with vendors about the solutions they are seeking and that competition for current and future solutions is fair and open.

INNOVATION TASK FORCE

Although not discussed in the fiscal year 2017 budget request, TSA has begun an initiative called ITF to partner with airports, airlines, and industry broadly to advance aviation security and improve the passenger experience. The Committee is always supportive of programs that will bring agencies closer to their stakeholders and customers, but it will be the operational pilot programs at participating airports that truly demonstrate if this will be an effective tool. The Committee has included \$15,000,000 within Checkpoint Support for ITF, and TSA is directed to brief the Committee not later than 90 days after the enactment of this act on ITF progress and the status of any pilot programs. TSA is also encouraged to describe the ITF and expected milestones in their fiscal year 2018 budget submission.

ADVANCED INTEGRATED SCREENING TECHNOLOGIES

Pursuant to a statutory requirement in the bill, TSA is to continue providing a report on advanced integrated passenger screening technologies for the most effective security of passengers and baggage not later than 90 days after the date of enactment of this act. The report provides a useful description of existing and emerging equipment capable of detecting threats concealed on passengers and in baggage as well as projected funding levels for the next 5 fiscal years for each technology discussed in the report.

ADVANCED IMAGING TECHNOLOGY

The Committee recognizes the important role technology plays in TSA's mission to protect our Nation's aviation system from outside threats. As such, the Committee is concerned that some of our busier rural airports are still waiting for TSA to deploy AIT at security screening checkpoints. Many of these rural airports enplane tens of thousands of passengers a year, providing a direct link to our Nation's larger aviation network. To ensure the enhanced safety provided by AIT is realized nationwide, the Committee urges TSA to expeditiously install this technology at all airports. The Committee also continues support for AIT technology initiatives, including Tier III algorithm deployment and wideband development. The Committee understands the TSA is recurring an initial \$15,000,000 investment made by the Congress last year to ensure that research and development on AIT continues.

RISK-BASED SECURITY INITIATIVES

Prominent in the fiscal year 2016 budget request, the formal use of the Risk-Based Security [RBS] approach has all but disappeared in the fiscal year 2017 budget. TSA has been employing RBS since 2011 in an effort to focus limited security resources on higher risk, unknown travelers by expediting lower risk and trusted travelers. The Committee continues to commend this approach, but expects it to be data-driven and security-minded going forward.

EXIT LANE SECURITY

The Committee continues direction that TSA will monitor exit lanes consistent with section 603 of the Bipartisan Budget Act and that, with regard to remodeling and modernization efforts undertaken by an airport at an existing lane for which TSA was responsible for monitoring on December 1, 2013, TSA shall continue to be responsible for monitoring the exit lane after the remodeling or modernization effort is completed.

The Committee is also interested in promoting cost-effective technological solutions for securing exit lanes and how TSA can achieve further staffing efficiencies. To expedite the deployment of exit lane breach control [ELBC] technology, the Committee directs TSA to implement a pilot program that will allow airports that procure, install, and operate ELBC systems on a non-reimbursable basis, and to reallocate any resulting FTE savings to address screening capacity challenges at the same airport where the exit lane pilot is being conducted. The reallocated personnel shall be in addition to existing screening staff assigned to the airport checkpoint prior to the

deployment of ELBC technology. The procurement of ELBC systems shall be consistent with TSA's Airport Exit Lane toolbox and exit lane security guidelines, including technologies in use at airports today.

EXPLOSIVES DETECTION SYSTEMS

The Committee recommends \$82,939,000 for EDS procurement and installation, as requested, which is \$771,000 above the amount provided in fiscal year 2016. An additional \$250,000,000 in mandatory spending will be available from Aviation Security Capital Fund [ASCF] fee collections. This level of funding will allow for the procurement of EDS, continued investment in the latest threat detection capabilities, as well as test and evaluation of new technologies. The Committee directs TSA to include its EDS recapitalization plans within the congressional budget justifications for fiscal year 2018 including detailed information on expected unit replacements. Section 44923 of title 49, United States Code, requires that the \$250,000,000 in annual mandatory funding deposited into the ASCF be available for airport security improvement projects, such as facility modifications. However, procurement and installation of EDS equipment associated with these projects is not permitted. With a diminishing base of airport applications seeking large improvement projects and the need to replace aging EDS machines currently deployed at airports, the recommendation continues bill language, as requested, to permit ASCF funding to be used to procure and install EDS equipment during fiscal year 2017. This will allow TSA to more effectively, economically, and expeditiously plan and implement the acquisition and replacement of existing EDS units.

The Committee is also still awaiting a report required in the explanatory statement accompanying Public Law 114-113 which directed TSA to develop a process to review and validate reimbursement claims from airports for in-line baggage screening systems installed prior to 2008 and a plan for reimbursement.

INFORMATION-BASED SCREENING OF AIRPORT WORKERS

The Committee is concerned about the potential for misuse of Secure Identification Display Area (SIDA) badges in the United States stemming from reports that terrorist organizations have used airline workers to carry out attacks in Egypt and Somalia. The Department, in conjunction with airports, airlines, State and local law enforcement, and other agencies as appropriate, shall take actions to secure air travel in the United States, including information-based screening of aviation workers against available domestic and foreign intelligence. The Committee directs TSA to report to the Committee on what steps TSA has already taken to secure our Nation's airports working with airports, relevant State and local law enforcement, and the aviation community. This report should include the number of known cases where SIDA badges were used to bypass secure checkpoints for non-official purposes and the number of cases where individuals who obtained SIDA badges traveled overseas to a foreign terrorist organization.

EDS/CHECKPOINT TECHNOLOGY INVESTMENTS

Not later than 60 days after the date of enactment of this act, TSA is to brief the Committee on its fiscal year 2017 investment plans for checkpoint security and EDS refurbishment, procurement, and installations on an airport-by-airport basis. The briefing shall include specific technologies for purchase, program schedules and major milestones, a schedule for obligation of the funds, 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. The briefing shall also include details on passenger screening pilot programs that are in progress or being considered for implementation in fiscal year 2017 to include a summary of the pilot program describing what the program is attempting to achieve; potential capabilities and benefits of the program; the airports where the pilots will be operating; funding commitments; and plans for future expansion. The Committee expects the briefing to include detailed program schedules for passenger screening technologies. Schedules should include all milestones from the issuance of a request for proposal to deployment.

EXPLOSIVE TRACE DETECTION

Not later than 60 days after the date of enactment of this act, TSA is directed to brief the Committee on the operational effectiveness of currently deployed ETD systems. The report shall include data on the false alarm rates of deployed systems and the impact of those false alarms on checkpoint throughput and operations. The report shall also include performance metrics of the currently deployed systems and their compliance with the latest detection, performance, and security requirements.

SCREENING TECHNOLOGY MAINTENANCE AND UTILITIES

The Committee recommends \$280,500,000 for Screening Technology Maintenance and Utilities. This is the same amount as requested and \$9,000 below the amount provided in fiscal year 2016.

AVIATION REGULATION AND OTHER ENFORCEMENT

The Committee recommends \$374,042,000 for Aviation Regulation and Other Enforcement. This is \$24,355,000 above the amount requested and \$36,697,000 above the amount provided in fiscal year 2016. The recommended amount provides for law enforcement and regulatory activities at airports to ensure compliance with required security measures, respond to security incidents, and provide international support for worldwide security requirements.

As noted previously, the Committee is including funds above the request for 50 additional canine teams. These teams will include both Passenger Screening Canine teams to secure the TSA checkpoint and help speed passengers through expedited screening, as well as fund State and local teams which will augment TSA resources.

The Committee also includes an additional \$4,200,000 above the request to conduct a pilot program utilizing third party canine [3PK9] teams. This program will provide TSA the opportunity to

examine innovative ways third party providers can act as a force multiplier for the agency, reducing the strain on current canine teams while directly benefitting passengers through the receipt of expedited screening. The pilot program should be executed such that 3PK9 teams can operate at major airports during varying travel times and seasons and at varying checkpoint layouts. Following conclusion of the pilot, TSA is directed to brief the Committee not later than 180 days after the date of enactment of this act, on the program's key metrics including operational effectiveness and suitability.

In addition, the Committee notes language in House Report 112-492 urging TSA to work with the aviation industry to utilize regulatory action for security procedures that endure, in lieu of emergency authority which is necessarily entrusted in TSA to address specific, emergent threat situations. Given the pending change in administration, TSA is directed to assess its many outstanding regulatory efforts, such as to establish Standardized Vetting, Adjudication, and Redress Services, to delineate airport security responsibilities, and to implement the large aircraft security program, and brief the Committee on its regulatory priorities not later than 90 days after the date of enactment of this act. Further, TSA shall include information on its approach to maintaining security directives and emergency amendments over time versus following established regulatory processes.

AIRPORT MANAGEMENT AND SUPPORT

The Committee recommends \$602,163,000 for Airport Management and Support. This is \$3,439,000 above the amount requested and \$4,264,000 above the amount provided in fiscal year 2016. Funds are provided for: the workforce to support TSA Federal Security Directors; Bomb Appraisal Officers; Explosives Security Specialists; the Transportation Security Operations Center; airport rent and furniture; a vehicle fleet; airport parking; and employee transit benefits. Funding above the request supports ancillary costs associated with new TSO hires and canine teams.

The Committee finds that small and rural airports play a critical role in the security of our national airspace, as the first point of entry for millions of travelers every year. Therefore, TSA shall not eliminate Federal or SPP security screening at any public use airport with regularly scheduled commercial air service without consulting local airport management.

FEDERAL FLIGHT DECK OFFICER AND FLIGHT CREW TRAINING PROGRAMS

The Committee recommends \$22,473,000 for the FFDO and Flight Crew Training programs. This is \$2,700,000 above the amount requested and \$1,715,000 above the amount provided in fiscal year 2016.

Funding above the budget request reflects the Committee's continued support for the program, which deputizes qualified airline pilots who volunteer to be Federal law enforcement officers and to provide initial and recurrent law enforcement training. Funds are also provided for the Crew Member Self-Defense Training program

for the purpose of teaching crew members basic self-defense concepts and techniques.

To more robustly resource this program and support unfunded initiatives commenced in fiscal year 2016, the Committee includes an additional \$200,000 for ammunition and \$500,000 to conduct a cost-benefit analysis on the need for additional Recurrent Training Facilities and how this might further support the FFDO community. The Committee also includes an additional \$2,000,000 to ensure training slots are available to interested pilots.

AIR CARGO

The Committee recommends \$106,575,000 for air cargo security. This is the same amount as requested and \$1,886,000 above the amount provided in fiscal year 2016. Funds are provided to secure the air cargo supply chain, conveyances, and people. TSA is also directed to include planned fiscal year 2018 investments in its congressional budget justification materials for fiscal year 2018.

FEDERAL AIR MARSHALS

The Committee recommends \$815,313,000 for the Federal Air Marshals Service [FAMS]. This is level with the amount requested and \$10,237,000 above the amount provided in fiscal year 2016. Funding is included for FAMS to protect the air transportation system against terrorist threats, sabotage, and other acts of violence.

The Committee continues, as it did during fiscal year 2016, to await a workforce staffing report to help the Congress understand the appropriate personnel level of the FAMS. Despite the robust funding provided, the Committee still has nothing which formally justifies current staffing levels, much less new hires. The Committee continues direction to TSA to submit quarterly reports on mission coverage, staffing levels, and hiring rates as in prior years.

SURFACE TRANSPORTATION SECURITY

Appropriations, 2016	\$110,798,000
Budget estimate, 2017	122,716,000
Committee recommendation	122,716,000

Surface transportation security provides funding for personnel and operational resources to assess the risk of a terrorist attack on non-aviation modes of transportation, to establish standards and procedures to address those risks, and to ensure compliance with established regulations and policies.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$122,716,000 for Surface Transportation Security, as requested, which is \$11,918,000 above the amount provided in fiscal year 2016.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

SURFACE TRANSPORTATION SECURITY

[in thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Staffing and operations	28,148	27,700	27,700
Surface Inspectors and VIPR	82,650	95,016	95,016
Total, Surface Transportation Security	110,798	122,716	122,716

SURFACE TRANSPORTATION SECURITY INSPECTORS AND VIPR

The Committee recommends \$95,016,000 for Surface Transportation Security Inspectors and VIPR. This is the same as the amount requested and \$12,366,000 above the amount provided in fiscal year 2016. Further, the Committee has added, consistent with previous years, significant additional resources for canine teams funded under Aviation Security and all of their associated logistics support. Within the amount provided, \$3,500,000 is to augment the VIPR program, including the deployment of teams to the busiest travel hubs. This support should be performed in concert with facility owners and operators.

INTELLIGENCE AND VETTING

Appropriations, 2016	\$236,693,000
Budget estimate, 2017	231,132,000
Committee recommendation	231,132,000

Intelligence and Vetting includes several programs that are intended to identify known or suspected terrorist threats working in or seeking access to the Nation's transportation system.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$231,132,000 for Intelligence and Vetting, as requested, which is \$5,561,000 below the amount provided in fiscal year 2016. In addition, an estimated \$213,049,000 in fee collections is available for these activities in fiscal year 2017, as proposed in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

INTELLIGENCE AND VETTING

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Direct Appropriations:			
Intelligence	52,003	57,360	57,360
Secure Flight	105,651	101,721	101,721
Other Vetting Programs	79,039	72,051	72,051
Subtotal, direct appropriations	236,693	231,132	231,132
Fee Collections:			
TWIC fee	82,267	96,163	96,163
Hazardous material fee	21,083	21,083	21,083
General aviation at OCA fee	400	400	400
Commercial aviation and airport fee	6,500	6,500	6,500
Other security threat assessments fee	50	50	50
Air cargo/certified cargo screening program fee	3,500	3,500	3,500
TSA PreCheck Application Program fee	80,153	80,153	80,153
Alien flight school fee	5,200	5,200	5,200
Subtotal, fee collections	199,153	213,049	213,049

SECURE FLIGHT

The Committee recommends \$101,721,000 for Secure Flight, as requested, which is \$3,930,000 below the amount provided in fiscal year 2016. As recommended by the 9/11 Commission and mandated by the Intelligence Reform and Terrorism Prevention Act [Public Law 108-458], this program transferred the responsibility of airline passenger watchlist matching from the air carriers to the Federal Government.

The Committee continues to follow the Credential Authentication Technology program closely and despite delays for vulnerabilities outside the control of the program, the Committee looks forward to deployment.

OTHER VETTING PROGRAMS

The Committee recommends \$72,051,000 for Other Vetting Programs, as requested, which is \$6,988,000 below the amount provided in fiscal year 2016. The Committee continues to follow the Technology Infrastructure Modernization [TIM] program closely and expects to be updated regularly at major milestones such as Acquisition Decision Events. Given strong congressional interest in TSA's progress with recurrent vetting against criminal data for its vetted populations, TSA shall keep the Committee apprised of efforts to implement Rap Back with the FBI and in transitioning to the Department's automated biometric system, IDENT.

In addition, TSA shall ensure that in its TIM efforts, as well as in its rulemaking for Standardized Vetting, Adjudication, and Redress Services, the responsibilities of airports, airlines, and employers continue to be maintained.

TRANSPORTATION SECURITY SUPPORT

Appropriations, 2016	\$924,015,000
Budget estimate, 2017	951,375,000
Committee recommendation	953,225,000

The Transportation Security Support account supports the operational needs of TSA's extensive airport/field personnel and infrastructure. Transportation Security Support includes: headquarters' personnel, pay, benefits, and support; mission support centers; human capital services; and information technology support.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$953,225,000 for Transportation Security Support. This is \$1,850,000 above the amount requested and \$29,210,000 above the amount provided in fiscal year 2016.

The following table summarizes the Committee's recommendations compared to the fiscal year 2016 and budget request levels:

TRANSPORTATION SECURITY SUPPORT

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Headquarters administration	273,259	290,212	281,622
Information technology	449,160	459,118	461,155
Human capital services	201,596	202,045	210,448
Total, Transportation Security Support	924,015	951,375	953,225

HEADQUARTERS ADMINISTRATION

The Committee recommends \$281,622,000 for Headquarters Administration. This is \$8,590,000 below the amount requested and \$8,363,000 above the amount provided in fiscal year 2016. Although TSA is straining to meet the demands of commercial aviation sector passenger growth, this challenge rests most heavily with frontline personnel and consequently the Headquarters PPA is reduced with the balance put against emerging needs in the Aviation Security account. Increases in Human Capital Services and Information Technology reflect additional resources for new canine teams and frontline personnel.

UNITED STATES COAST GUARD

SUMMARY

The Coast Guard's primary responsibilities are the enforcement of all applicable Federal laws on the high seas and 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 in the Navy in time of war, as authorized by sections 1 and 2 of title 14, United States Code.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$10,402,221,000 for the activities of the Coast Guard for fiscal year 2017. When costs for overseas contingency operations are excluded, the recommendation for the Coast Guard is \$10,239,529,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

COAST GUARD—FUNDING SUMMARY

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Operating Expenses	7,061,490	6,986,815	7,140,257
Environmental Compliance and Restoration	13,221	13,315	13,315
Reserve Training	110,614	112,302	112,302
Acquisition, Construction, and Improvements	1,945,169	1,136,788	1,256,588
Research, Development, Test, and Evaluation	18,019	18,319	36,819
Health Care Fund Contribution (Permanent Indefinite Discretionary Appropriations)	169,306	176,000	176,000
Retired Pay	1,604,000	1,666,940	1,666,940
Total, Coast Guard	10,921,819	10,110,479	10,402,221

The Coast Guard will pay an estimated \$176,000,000 in fiscal year 2017 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 the National Defense Authorization Act for fiscal year 2005 (Public Law 108-375).

OPERATING EXPENSES

Appropriations, 2016	\$7,061,490,000
Budget estimate, 2017	6,986,815,000
Committee recommendation	7,140,257,000

The Operating Expenses appropriation provides funds for the operations 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 fall into the following categories:

Search and Rescue.—As one of its earliest and most traditional missions, the Coast Guard maintains a nationwide system of boats, aircraft, cutters, and rescue coordination centers on 24-hour alert.

Aids to Navigation.—To help mariners determine their location and avoid accidents, the Coast Guard maintains a network of unmanned aids to navigation along the Nation's coasts and on its inland waterways. In addition, the Coast Guard operates radio stations in the United States that serve the domestic and international needs of the armed services and of marine and air commerce.

Marine Safety.—The Coast Guard ensures compliance with Federal statutes and regulations designed to improve safety in the merchant marine industry and operates a recreational boating safety program.

Marine Environmental Protection.—The primary objectives of the marine environmental protection program are to minimize the dangers of marine pollution and to assure the safety of ports and waterways.

Enforcement of Laws and Treaties.—The Coast Guard is the principal maritime enforcement agency with regard to Federal laws on the navigable waters of the United States and the high seas, including fisheries, drug smuggling, illegal immigration, and hijacking of vessels.

Ice Operations.—In the Arctic and Antarctic, Coast Guard ice-breakers escort supply ships, support research activities and DOD operations, survey uncharted waters, and collect scientific data. The Coast Guard also assists commercial vessels through ice-covered waters.

Defense Readiness.—During peacetime, the Coast Guard maintains an effective state of military preparedness to operate as a service in the Navy in time of war or national emergency at the direction of the President. As such, the Coast Guard has primary responsibility for the security of ports, waterways, and navigable waters up to 200 miles offshore.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$7,140,257,000 for Coast Guard Operating Expenses, including \$24,500,000 from the Oil Spill Liability Trust Fund and \$502,692,000 for Coast Guard defense-related activities, of which \$162,692,000 is for Overseas Contingency Operations. Of this amount, the Committee recommends not to exceed \$23,000 for official reception and representation expenses. The recommendation level is \$153,442,000 above the amount requested and \$78,767,000 above the amount provided in fiscal year 2016. The Committee also retains funding to meet the air facility operation obligations laid out in the Sec. 676a of the Coast Guard Authorization Act of 2015.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Military pay and allowances	3,488,617	3,597,319	3,587,319
Civilian pay and benefits	792,229	817,324	817,324
Training and recruiting	206,498	198,605	198,605

OPERATING EXPENSES—Continued

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Operating funds and unit level maintenance	1,027,780	996,204	996,954
Centrally managed accounts	329,906	329,099	329,099
Intermediate and depot level maintenance	1,056,458	1,048,264	1,048,264
Overseas contingency operations / global war on terrorism	160,002		162,692
Total, Operating Expenses	7,061,490	6,986,815	7,140,257

OVERSEAS CONTINGENCY OPERATIONS

The Committee provides \$162,692,000 for Coast Guard operations in support of overseas contingency operations. While funding for these activities is requested in the DOD budget for the Navy, the Committee adopted a practice beginning in the fiscal year 2009 Supplemental Appropriations Act of appropriating these amounts directly to the Coast Guard. The Coast Guard shall brief the Committee not later than 30 days after the date of enactment of this act on any changes expected during fiscal year 2017 or projected transition costs expected in fiscal year 2018 to support overseas contingency operations. The Committee notes that funding is increasing slightly for fiscal year 2017, and funds will be used for Coast Guard personnel to provide shore line security in certain locations where their presence can help form a seamless security perimeter with harbor patrols.

BERING SEA AND ARCTIC OCEAN RESPONSE

Not later than 180 days after the date of enactment of this act, the Secretary shall submit to the Committee a report on the Coast Guard's plans to ensure that it is capable of conducting its response missions throughout the Western Alaska Captain of the Port Zone, including the Bering Sea and Arctic Ocean. The report shall include: a list of pollution response equipment and spill response organizations capable of mitigating an oil or hazardous material release in the Bering Sea or Arctic Ocean; the role prevention plays in preventing a pollution incident; a detailed description of how a spill that occurs in icy waters will be mitigated and the methods used; and how the Coast Guard is partnering with Federal, State, and local entities to ensure a well-coordinated response.

Not later than 180 days after the date of enactment of this act, the Secretary shall submit to the Committee a report on the plans of the Coast Guard to ensure long-term search and rescue coverage for the Arctic.

MINOR SHORE INFRASTRUCTURE

The bill includes long-standing language to allow funds from the Operating Expenses appropriation to be used for the sustainment, repair, replacement, and maintenance of shore infrastructure, including projects to correct deficiencies for code compliance or that threaten life, health, or safety to an amount not exceeding 50 percent of a building's or structure's replacement value. Additionally, Operating Expenses funds are allowed to be used for contingent,

emergent, or other unspecified minor construction projects, which includes new construction, procurement, development, conversion, rebuilding, improvement, or an extension of any facility not exceeding \$1,000,000 in total costs at any location for planned or unplanned operational needs.

Minor construction projects funded from the Operating Expenses appropriation can be combined with depot level maintenance projects for the sake of administrative and economic efficiency. The Coast Guard is to provide a report to the Committee not later than 45 days after the date of enactment of this act detailing such projects and any sustainment, repair, replacement, or maintenance projects over \$1,000,000 for fiscal year 2017.

The Committee includes requested funding to complete shore facility follow-on, as detailed in the Coast Guard's congressional budget justifications.

NATIONAL COAST GUARD MUSEUM

Within the funds recommended for Coast Guard Operating Expenses, \$5,000,000 is provided and available for 2 years to meet authorities specified in 98(b) of title 14, United States Code, which pertains to a National Coast Guard Museum [Museum]. Current law authorizes the use of funds to preserve and protect Coast Guard artifacts, as well as for the design, fabrication, and installation of exhibits or displays in which these artifacts are included. Prior to the obligation of funds associated with the Museum, the Coast Guard will brief the Committee on their acquisition strategy for how funds will be executed.

SMALL BOATS

The Committee is aware of an outstanding Coast Guard requirement to replace aging small response boats and notes that the Coast Guard is not procuring enough boats annually to meet its acquisition objective. The Committee includes funding above the request to purchase not less than 46 small response boats in fiscal year 2017.

The bill also includes long-standing language to allow funds from the Operating Expenses appropriation to be used for the purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than \$700,000) and repairs and end-of-service-life replacements. The annual cost of these activities is capped at \$31,000,000. Unlike major procurements requested for the Acquisition, Construction, and Improvements appropriation, the Coast Guard's annual request for the Operating Expenses appropriation includes minimal information about the budget for small boat activities. In order to gain more clarity on these matters, the Coast Guard shall report to the Committee no later than 30 days after the date of enactment of this act detailing planned small boat purchases, leases, repairs, and service life replacements for fiscal year 2017.

FACILITY SECURITY OFFICER TRAINING

The Coast Guard has still not published a Notice of Proposed Rulemaking [NPRM] concerning Facility Security Officer Training.

The Coast Guard is directed to move expeditiously on this effort and the Committee expects the NPRM will be published during calendar year 2017.

COAST GUARD YARD

The Coast Guard Yard located at Curtis Bay, Maryland, is recognized as a critical component of the Coast Guard's core logistics capability which directly supports fleet readiness. The Committee recognizes the Yard has been a vital part of the Coast Guard's readiness and infrastructure for more than 100 years and believes that sufficient industrial work should be assigned to the Yard to maintain this capability.

FISHING SAFETY TRAINING

To fulfill requirements associated with section 309 of Public Law 113-281, which authorizes competitive grants for a Coast Guard-certified Fishing Safety Training Grants Program and Fishing Safety Research Grant Program, a total of \$6,000,000 is provided for both programs. The funding is provided with 2-year availability. These programs will provide irreplaceable training that prevents injuries and saves lives, essential to the safety and future of commercial fishermen. This Federal funding will also serve as much-needed assistance for fishermen as they comply with expensive safety and training requirements that have been recently imposed. Many commercial fishermen are already struggling with onerous Federal regulations and declining catch quotas, such as in the Northeast Groundfish Fishery where catch quotas have been cut by more than 95 percent since 2010.

The Coast Guard has been authorized to carry-out both the Fishing Safety Training and Fishing Safety Research grants since enactment of the Coast Guard Authorization Act of 2010. Despite this authorization, and encouragement in House Report 114-215 to utilize funds recovered from prior year obligations for this purpose, the Coast Guard has yet to request or apply any funding to this initiative. On April 28, 2016 the Committee received a report entitled "Fishing Safety: Pilot Training Program", which indicated that the Coast Guard would—if funded—"collaborate with [the National Institute of Occupational Safety and Health] NIOSH to assess the success of a pilot program". This initial effort would not only measure the effectiveness of the program and participation, but also allow Coast Guard and NIOSH to evaluate the number of courses required and provide a more accurate assessment of required annual funding.

The Coast Guard, in conjunction with NIOSH, is directed to submit a report to the Committee not later than 90 days after the date of enactment of this act, outlining the means by which they will administer this program, metrics by which to measure the program, and the need for funding. The Committee also directs the Coast Guard to work with FEMA on how to properly implement a new grant program.

PUGET SOUND FEDERAL CAUCUS

The Committee commends the Thirteenth Coast Guard District for signing the Puget Sound Federal Caucus Memorandum of Understanding [MOU] on April 21, 2014. The recovery and cleanup of Puget Sound is essential to our Nation's economy and continued coordination and sharing of expertise among Federal partners is critical to furthering current efforts. The Committee directs the Thirteenth Coast Guard District to work with its counterparts in the Puget Sound Federal Caucus to renew and strengthen the MOU prior to its expiration on March 27, 2017.

COAST GUARD BAND

The Committee is concerned that the Coast Guard is planning to expend unnecessary funds to move the Coast Guard Band from the Coast Guard Academy Campus in New London, Connecticut to Washington, DC and therefore directs that no funds provided in this act shall be expended for the relocation of the Coast Guard Band from its current home.

MARINE ENVIRONMENT PROTECTION

The Coast Guard, jointly and cooperatively with the Environmental Protection Agency, is charged with enforcing the International Maritime Organization's Marine Pollution [MARPOL] convention focused on preventing different forms of marine pollution, including oil, noxious liquid substances, harmful substances, waste water, garbage, and emissions of sulfur oxide and nitrogen oxide at sea. In accordance with MARPOL Annex VI Regulation 13, all vessels entering the North American and Caribbean Emission Control Areas [ECA] as of January 1, 2015, are required to use Ultra-low (0.1%) Sulfur Intermediate Fuel Oil [IFO]. The Committee remains concerned about potential modal shifts related to ECAs and directs the Coast Guard to provide an update to the briefing, mandated in House Report 114-215, on ECA-related enforcement actions, fuel availability, waivers, and exemptions for ECA compliance.

The Committee is concerned that despite issuing a final rule on Ballast Water Discharge Standards in 2012, the Coast Guard has yet to approve a single Ballast Water Management System [BWMS]. This is particularly challenging for BWMS vendors who must submit to lengthy, expensive testing at independent laboratories or seek to have existing test data validated also through independent laboratory review. In seeking to validate the results of certain BWMS technology it is clear that testing protocols have not necessarily kept pace. The lack of comprehensive protocols to test BWMS technologies, some of which are widely accepted in other water treatment industries, is causing the industry harm in the maritime sector and must be addressed. To continue the development of more appropriate testing methods, the Committee directs the Coast Guard, in conjunction with the Environmental Protection Agency, to reexamine the applicability of the most probable number method for evaluating the efficacy of certain treatment technologies.

EXECUTIVE TRANSPORTATION AIRCRAFT

Despite clear direction to notify the Committee prior to making any changes in the type or number of command and control aircraft, the Coast Guard proceeded during fiscal year 2016 with actions for a new lease to replace an existing aircraft. The lack of transparency and advanced planning on a lease with a known expiration date is troubling. Consequently, the Committee directs the Coast Guard to maintain a maximum of 1000 hours of flight time in total per year across both aircraft, which is the current service level, until an analysis is provided to the Committee which justifies and describes any increase.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriations, 2016	\$13,221,000
Budget estimate, 2017	13,315,000
Committee recommendation	13,315,000

The Environmental Compliance and Restoration account provides funds to address environmental problems at former and current Coast Guard units as required by applicable Federal, State, and local environmental laws and regulations. Planned expenditures for these funds include major upgrades to petroleum and regulated substance storage tanks, restoration of contaminated ground water and soils, remediation efforts at hazardous substance disposal sites, and initial site surveys and actions necessary to bring Coast Guard shore facilities and vessels into compliance with environmental laws and regulations.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$13,315,000. The Coast Guard is directed to include in its annual congressional budget justifications a listing of the activities projected to be funded by the amount requested under this heading and an updated backlog report for Environmental Compliance and Restoration projects with an explanation of how the amount requested will impact this documented backlog.

RESERVE TRAINING

Appropriations, 2016	\$110,614,000
Budget estimate, 2017	112,302,000
Committee recommendation	112,302,000

The Reserve Training appropriation provides for the training of qualified individuals who are available for Active Duty in time of war or national emergency or to augment regular Coast Guard forces in the performance of peacetime missions.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$112,302,000 for Reserve Training, as requested which is \$1,688,000 above the amount provided in fiscal year 2016.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2016	\$1,945,169,000
Budget estimate, 2017	1,136,788,000
Committee recommendation	1,256,588,000

Funding in this account supports the Acquisition, Construction, and Improvements of 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.

Vessels.—The vessel program provides funding to recapitalize and improve the Coast Guard's fleet of aging boats and cutters.

Aircraft.—The aircraft program is the primary recapitalization and sustainment effort for the Coast Guard's aging aircraft.

Other Equipment.—The Coast Guard invests in numerous management information and decision-support systems that will result in increased efficiencies.

Shore Facilities and Aids to Navigation.—The Coast Guard invests in the acquisition, construction, rebuilding, and improvement of shore facilities, aids to navigation, and related equipment.

Military Housing.—The Coast Guard invests in Military Housing facilities to ensure military members have access to housing in areas where there is a lack of affordable accommodations.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,256,588,000 for Acquisition, Construction, and Improvements, including \$24,500,000 from the Oil Spill Liability Trust Fund. This is \$119,800,000 above the amount requested and \$688,581,000 below the amount provided in fiscal year 2016. The increase above the President's budget continues a trend by this Committee to more appropriately resource the Coast Guard.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Vessels:			
Survey and Design—Vessel and Boats	15,000	6,500	8,500
In-Service Vessel Sustainment	68,000	79,000	94,000
National Security Cutter	743,400	127,000	255,400
Offshore Patrol Cutter	89,000	100,000	100,000
Fast Response Cutter	340,000	240,000	325,000
Cutter Boats	3,000	4,000	4,000
Polar Ice Breaking Vessel	6,000	147,600	14,000
Subtotal, Vessels	1,264,400	704,100	800,900
Aircraft:			
HC-144 Conversion/Sustainment	3,000	25,500	25,500
HC-27J Conversion/Sustainment	102,000	130,000	130,000
HC-130J Acquisition/Conversion/Sustainment	150,000	20,800	21,800
HH-65 Conversion/Sustainment	40,000	25,000	25,000

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS—Continued

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Subtotal, Aircraft	295,000	201,300	202,300
Other Acquisition Programs:			
Other Equipment and Systems		8,055	8,055
Program Oversight and Management	20,000	20,000	20,000
C4ISR	36,600	24,300	24,300
CG-Logistics Information Management System	8,500	7,000	7,000
Subtotal, Other Acquisition Programs	65,100	59,355	59,355
Shore Facilities and Aids to Navigation:			
Major Construction, ATON, and Survey and Design	124,600	18,100	18,100
Major Acquisition Systems Infrastructure	52,000	28,000	50,000
Minor Shore	5,000	5,000	5,000
Subtotal, Shore Facilities and Aids to Navigation	181,600	51,100	73,100
Military Housing	21,000		
Personnel and Related Support:			
Direct Personnel Costs	118,069	120,933	120,933
Subtotal, Personnel and Related Support	118,069	120,933	120,933
Total, Acquisition, Construction, and Improvements	1,945,169	1,136,788	1,256,588

CAPITAL INVESTMENT PLAN

The Capital Investment Plan is essential for the Committee to carry out its oversight function of the Coast Guard, especially at a time when recapitalization of aging assets has become so critical for the service. All of the information required by the Committee is in accordance with the Coast Guard's Major Systems Acquisition Manual and applicable DHS management directives. The fiscal year 2018–2022 plan is to be submitted with the fiscal year 2018 congressional budget justifications.

QUARTERLY ACQUISITION BRIEFINGS

The Coast Guard is to continue quarterly briefings on all major acquisitions. In addition to the information normally provided for each asset, these briefings shall include: the top five risks for each acquisition, if applicable, consistent with those on the risk watch list in quarterly program management reports, and if the risks have future budget implications; the objective for operational hours the Coast Guard expects to achieve; the gap between that objective, current capabilities, and stated mission requirements; and how the acquisition of the specific asset closes the gap. The information presented at these briefings shall also include a discussion of how the Coast Guard calculated the operational hours, an explanation on risks to mission performance associated with the current shortfall, and the operational strategy to mitigate such risks. Finally, the briefings are to include a status chart on all shore construction projects that have not been completed. For each construction

project, the chart is to include the funding status, design status, and procurement and construction status.

SURVEY AND DESIGN

The bill includes \$8,500,000 in support of survey and design work, of which \$6,000,000 is related to the In-Service Vessel Sustainment [ISVS] project as requested.

The Coast Guard is required by law to maintain a heavy icebreaking capability on the Great Lakes to assist in keeping channels and harbors open to navigation in response to the reasonable demands of commerce to meet the winter shipping needs of industry. The Committee remains concerned that the Coast Guard does not possess adequate capacity to meet its statutorily required icebreaking mission on the Great Lakes, with negative consequences to the regional and national economy as well as to the safety of local communities. The Committee includes \$2,000,000 above the request for initial survey and design work associated with the acquisition of an icebreaker that is at least as capable as the *Mackinaw* to enhance icebreaking capacity on the Great Lakes.

The Committee recognizes how vital preserving icebreaking capability is to various U.S. interests and, to this end, urges the Coast Guard to complete the Material Condition Assessment of the *Polar Sea* that was funded in fiscal year 2016 and the Polar Icebreaker Acquisition Program Alternatives Analysis as quickly as possible.

IN-SERVICE CUTTER SUSTAINMENT

The bill includes \$94,000,000 to continue in-service sustainment efforts for the 140-foot icebreaking tugs, mid-life service sustainment of the 225-foot ocean-going buoy tender fleet, the final phase of the service life extension project on *Eagle*, and sustainment work on the 47-foot Motor Life Boat fleet. Given the success of the Mission Effectiveness Projects and the rehabilitation of the 110-foot patrol boats, the *Reliance*-class 210-foot cutters, and the *Famous*-class 270-foot cutters at the Coast Guard Yard, the Committee expects the Coast Guard to direct sustainment work on all aging vessels there when geographically feasible.

NATIONAL SECURITY CUTTER

The Committee continues to support acquisition of the Coast Guard's capital ship, the National Security Cutter [NSC]. The NSC remains the Coast Guard's largest and most technologically advanced cutter and it is steadily replacing the 378-foot *Hamilton*-class High Endurance Cutters commissioned in the late 1960s and early 1970s with dramatically enhanced capabilities. Unlike legacy cutters, the NSC's advanced C4ISR suite allows it to operate nearly autonomously, generating and prosecuting its own targets. This was demonstrated in late 2015 when the *Stratton* unloaded over \$1,000,000,000 worth of cocaine after major seizures in the eastern Pacific Ocean against some of the Coast Guard's most challenging targets—the semi-submersible. Now, with the absence of the Navy's frigate fleet in the Caribbean area of responsibility and the eastern Pacific, it is imperative the Coast Guard maintain a robust, deep water fleet.

In support of this mission, the Committee provides \$95,000,000 for award of long lead time materials [LLTM] for the tenth NSC, notwithstanding future production and post-delivery activity costs. The Committee also includes an additional \$3,400,000 for post-delivery activities associated with production of the ninth NSC.

Recognizing the NSC's value as a cutter able to operate in the harshest and most challenging environments, the Coast Guard should strongly consider homeporting an NSC at a Coast Guard facility that is in close proximity to the United States Arctic region.

Lastly, the Committee also includes an additional \$30,000,000 to support on-going Structural Enhancement Dry-dock Availability work on NSCs *Bertholf* and *Waesche*.

FULL FUNDING POLICY

The Committee again directs an exception to the administration's current acquisition policy that requires the Coast Guard to attain total acquisition cost for a vessel, including LLTM, production costs, and post-production costs, before a production contract can be awarded. This has the potential to create shipbuilding inefficiencies, force delayed obligation of production funds, and require post-production funds far in advance of when they will be used. The Department should be in a position to acquire vessels in the most efficient manner within the guidelines of strict governance measures. The Committee expects the administration to adopt a similar policy for the acquisition of the Offshore Patrol Cutter [OPC].

OFFSHORE PATROL CUTTER

The recommendation includes \$100,000,000, as requested, for the OPC. The Committee expects to be kept closely apprised of this program as the next major cutter acquisition and the Commandant's stated acquisition priority. The Committee is also aware that the Coast Guard has begun to consider where it will homeport these vessels and expects that not less than two OPCs be stationed in Kodiak, Alaska as expeditiously as possible to address aging asset challenges in the Arctic and Bering Sea region.

FAST RESPONSE CUTTER

The Committee recommends \$325,000,000 for the Coast Guard's Fast Response Cutter [FRC]. This funding will allow the Coast Guard to acquire six FRC hulls (37-42) under the phase II FRC production contract.

POLAR ICEBREAKER RECAPITALIZATION PROJECT

The Committee notes that Coast Guard has made progress in the last year laying the groundwork for the acquisition of a new icebreaker. This includes development of a preliminary mission needs statement and a concept of operations, as well as the initial technical package, widely-attended industry day, and one-on-one meetings with builders and systems integrators. This program needs to move expeditiously, taking into account the urgent need for such an asset and the capability gaps the Nation faces in the Arctic and Antarctic.

While a signal of administration support, incremental funding at the level requested in the fiscal year 2017 budget request will not meet the urgent national need. To demonstrate the strong support of the Congress for this program, funds are provided to support acquisition of the first ship in the Polar Icebreaker Recapitalization Project in the 2017 Department of Defense Appropriations Bill under Shipbuilding and Conversion, Navy. This funding model was utilized with the Coast Guard's most recent icebreaker acquisition, the *Healy*.

The recommendation includes a total of \$17,600,000 for Coast Guard program management and direct personnel costs to support the effort. This includes funds to complete the life cycle cost estimate, perform required environmental studies, and continue the relationship with Naval Sea Systems Command. The Committee directs the Department to work with DOD to submit a report to the appropriate congressional committees no later than September 30, 2016, which provides polar icebreaker requirements, preferred design, overall acquisition strategy, and a breakout of funds necessary to support the acquisition.

ALASKAN ASSET REPLACEMENT PLAN AND COVERAGE

The Committee is concerned with the Coast Guard's current asset replacement plans for Alaska. Recent drydocks have resulted in two Island Class patrol boats being placed in inactive status with the expectation they will not return to service, since Coast Guard plans to decommission them in fiscal year 2017. In the meantime, Coast Guard is scrambling to move west coast assets to support coverage in Alaska this summer.

In addition, the Committee is concerned that the Coast Guard's plan for NSC, OPC, and FRC homeporting does not take into account the strategic location of Alaska as related to the Arctic and Asia. The Coast Guard shall reevaluate its homeporting plan for these cutters in Alaska, including consideration of the condition of current assets being replaced, and report to the Committee within 90 days of the date of enactment of this act. This report shall take into account Alaska's strategic position, increased activity in the Arctic, including increased tourism, the presence of foreign assets, and commerce, as well as long term resource development.

BROMINE-FREE WATER PURIFICATION SYSTEMS

Until recently, most onboard ship water purification systems used bromine as an antimicrobial. However, bromine is toxic and requires special HAZMAT handling which is time consuming and expensive. The Committee urges the U.S. Coast Guard to follow the U.S. Navy's lead and explore using systems that eliminate this threat to personnel.

UNMANNED AERIAL SYSTEMS

The Committee is supportive of efforts by the Coast Guard to equip the NSC fleet with small unmanned aerial systems [sUAS] and has proactively funded this critical capability. The domain awareness of the NSC was predicated upon an embarked UAS and the asset is incomplete without it. The Committee also understands

that the Coast Guard is researching other capabilities—some under R&D—to support assets such as the FRC and OPC. The Coast Guard is directed to provide a comprehensive briefing on all of its UAS-related R&D and acquisition efforts, including all related DOD efforts it is monitoring, not later than 30 days after the date of enactment of this act.

INDUCTION OF C-27J AIRCRAFT

Funding is included, as requested, to support the continuation of the C-27J project. These funds support ongoing program office needs, aircraft regeneration, and induction, as well as missionization of two aircraft and the continued stand-up of the first operational air station.

HC-130J AIRCRAFT

As the Coast Guard continues to recapitalize its fleet on Long Range Surveillance Aircraft with additional HC-130J provided by the Congress, it is critical that adequate training also be provided. Given the demand for these aircraft at their operational air stations, the Committee provides an additional \$1,000,000 for a Multi-Function Training Aid to support and accelerate ground-based learning at the Aviation Training Center. The Coast Guard is directed to report to the Committee not later than 270 days after the date of enactment of this act on savings in training costs and other efficiencies.

SHORE FACILITIES AND AIDS TO NAVIGATION

The Committee recommends \$73,100,000 for shore facilities and aids to navigation, which is \$22,000,000 above the request. This increase represents funds provided in advance for shore side and waterfront planning and related surveys to support current and future vessel operations in Kodiak.

AC&I PERSONNEL

The Committee provides \$120,933,000 for personnel and related support, as requested.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Appropriations, 2016	\$18,019,000
Budget estimate, 2017	18,319,000
Committee recommendation	36,819,000

The Coast Guard's R&D program develops techniques, methods, hardware, and systems that directly contribute to increasing the productivity and effectiveness of the Coast Guard's operating missions. This account provides funds to operate and maintain the Coast Guard Research and Development Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$36,819,000 for the Coast Guard's Research, Development, Test, and Evaluation activities. This is \$18,500,000 above the amount requested and \$18,800,000 above the amount provided in fiscal year 2016.

As the Department continues to examine the costs and benefits provided by UAS, particularly for intelligence, surveillance and reconnaissance [ISR], new capabilities continue to come available that alter its analysis. Specifically, a UAS with longer loiter times could prove a more cost-effective platform than manned flights particularly for ISR missions. To better examine cost-savings and operational utility, the Committee recommends \$18,000,000 to test and evaluate the use of ultra-long endurance UAS in support of the Department's UAS needs, particularly for ISR in the source and transit zones. The Coast Guard is further directed to work in close collaboration with S&T and in conjunction with CBP.

In addition, the recommended level includes not less than \$500,000 for a pilot program to demonstrate the feasibility of using modern combat optics and related aiming devices on Coast Guard small arms. The Coast Guard will brief the Committee on the status of this research not later than 270 days after the date of enactment of this act.

RETIRED PAY

Appropriations, 2016	\$1,604,000,000
Budget estimate, 2017	1,666,940,000
Committee recommendation	1,666,940,000

This account provides for the retired pay of military personnel of the Coast Guard and Coast Guard Reserve, members of the former Lighthouse Service, and for annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan (10 U.S.C. 1431-1446) and survivor benefit plan (10 U.S.C. 1447-1455); payments for career status bonuses under the National Defense Authorization Act; 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 \$1,666,940,000 for Retired Pay. This is the same amount as requested and \$62,940,000 above the amount provided in fiscal year 2016.

UNITED STATES SECRET SERVICE
SALARIES AND EXPENSES

Appropriations, 2016	\$1,854,526,000
Budget estimate, 2017	1,802,109,000
Committee recommendation	1,802,109,000

The United States Secret Service's Salaries and Expenses appropriation provides funds for the security of the President, the Vice President, and other dignitaries and designated individuals; for enforcement of laws relating to obligations and securities of the United States and laws relating to financial crimes, that include, but are not limited to, access device fraud, financial institution fraud, identity theft, and computer fraud; computer-based attacks on financial, banking, and telecommunications infrastructure; and for protection of the White House and other buildings within the Washington, DC, metropolitan area. The agency also provides support for investigations related to missing and exploited children.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,802,109,000 for Salaries and Expenses. This is equal to the amount requested and \$52,417,000 below the amount provided in fiscal year 2016 to account for non-recurring costs from the Presidential campaign. As requested in the budget, the bill includes modified language regarding payment of subsistence expenses for Secret Service personnel who are temporarily impeded from returning home at the end of their shift due to severe weather or other natural or manmade events and thus must remain on extended duty at their designated post of duty. This is new authority, and the Committee expects a detailed briefing not later than 180 days after the date of enactment of this act on the use and cost implications of this new pay authority.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

UNITED STATES SECRET SERVICE—SALARIES AND EXPENSES

[In thousands of dollars]

	fiscal year 2016 enacted	fiscal year 2017 budget request	Committee recommendations
Protection:			
Protection of persons and facilities	911,480	1,006,054	991,054
Protective intelligence activities	70,967	72,413	72,413
National Special Security Event Fund	4,500	4,500	4,500
Presidential candidate nominee protection	203,687	72,134	72,134
Subtotal, Protection	1,190,634	1,155,101	1,140,101
Investigations:			
Domestic field operations	336,911	347,653	356,653
International field office administration, operations, and training	31,378	34,572	34,572
Support for missing and exploited children	8,366	2,366	8,366
Subtotal, Investigations	376,655	384,591	399,591
Headquarters, management, and administration	231,706	203,799	203,799
Rowley Training Center	54,474	57,533	57,533

UNITED STATES SECRET SERVICE—SALARIES AND EXPENSES—Continued

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Information Integration and Technology Transformation	1,057	1,085	1,085
Total, Salaries and expenses	1,854,526	1,802,109	1,802,109

SECRET SERVICE ACTIVITIES

The Committee recommends \$1,140,101,000 for protection of persons and facilities of which \$72,134,000, as requested, is to provide protection for the conclusion of the 2016 Presidential campaign, including campaign protective vehicles and communications technology. The Committee also fully funds the Protective Intelligence Division.

Accounting for reductions associated with non-recurring Presidential Campaign Protection support costs, the Secret Service is funded above the fiscal year 2016 enacted level by \$81,020,000. Put another way, the Secret Service has retained 62 percent of what were expected to be one-time, non-recurring costs.

While the Committee continues robust funding of the Secret Service, it remains concerned about the limited spending detail provided in its annual budget justifications. The Committee will continue to work with the Secret Service to ensure the budget submission provides the appropriate level of detail that would make for a more robust justification.

ADEQUATELY STAFFING THE SECRET SERVICE

Recognizing that considerable progress remains, the Committee notes the Secret Service's significant achievements made in the past fiscal year. During late 2015, the Secret Service, among other events, simultaneously planned for and secured the papal visit of Pope Francis to Washington, DC, New York City, and Philadelphia and the 70th convening of the United Nations General Assembly [UNGA] in New York City. During UNGA, in particular, Secret Service assigned thousands of agents and law enforcement personnel from around the country, successfully protecting over 200 world leaders and their spouses through cooperation with numerous DHS components. The papal visit, furthermore, entailed screening an estimated 130,000 people in Washington, DC; over 1 million people in Philadelphia; and over 200,000 in New York. The pace of operations created by these two events continued into 2016 with a Nuclear Security Summit, which was attended by 32 heads of state or government, all while the Secret Service continued supporting a Presidential Campaign cycle. The uneventful stay and safe departure of these protectees throughout these events and others is the core metric by which the Service should be measured.

Against this positive backdrop, though, the Committee continues to have concerns with the administration's requested resources for the Secret Service. The administration has again significantly underfunded its budget for Permanent Change of Station costs, reducing the Service's personnel flexibility. Conversely, the requirement

for 1,250,000 hours of overtime in fiscal year 2017, while funded, highlights lingering staffing challenges.

As the Secret Service looks to recover in fiscal year 2017, it should be noted that the agency is on track to graduate significant numbers of personnel through the Federal Law Enforcement Training Center [FLETC]—so much so that training has expanded past the capacity of FLETC's Glynco, GA campus into the agency's Artesia, NM campus. The pace continues in fiscal year 2017, and the Committee fully funds the nearly 20 special agent and uniformed division classes the Secret Service seeks to train. Still, the fiscal year 2017 budget request does retain remnants of known hiring deficiencies from fiscal year 2016, and the Committee has redirected un-executable funds elsewhere in the Secret Service budget.

IMPLEMENTATION OF THE PROTECTIVE MISSION PANEL FINDINGS

Included in its fiscal year 2017 budget request is \$37,636,000 in continued funding associated with the United States Secret Service Protective Mission Panel [Panel], now largely folded into existing programs referred to as "Protective Mission Enhancements". The Committee takes these recommendations seriously, providing \$147,000,000 above the President's budget request over the last three fiscal years. Consistent with the budget request, many of these enhancements will now be described in other portions of this report, including within staffing, acquisitions, and the Office of Mission Support [OMS].

In addition to robust funding, the Secret Service has proposed legislative changes to increase retention efforts and reward those who remain with the agency, particularly during the brutal pace of an election campaign. The Committee encourages the appropriate authorizing committees to give thoughtful consideration to those proposals.

OFFICE OF MISSION SUPPORT EFFORTS

OMS underpins almost every protective measure under the purview of the Secret Service from the screening of people and vehicles to physical infrastructure improvements. These improvements have included installing hundreds of additional cameras at the White House Complex, new crash-rated vehicle barriers, and safer, more hospitable officer booths. Concurrently, OMS is responsible for maintaining many of the IT and infrastructure backbones that connect all of this equipment but may be overlooked, from underground conduits to fiber optic cables.

As noted previously, the Secret's Service funding reduction in Protection of Persons and Facilities from fiscal year 2016 to fiscal year 2017 does not fully account for the expected loss of one-time costs associated with the Presidential campaign. Some of those one-time costs were ultimately retained to bolster OMS and while the Committee supports this recommendation and provides for these investments, the Committee is also concerned about an ambitious hiring schedule and OMS' ability to recruit and hire difficult-to-fill technical positions. The Secret Service is directed, not later than 180 days after the date of enactment of this act, to provide an update on hiring within OMS and any existing vacancies, particularly in highly technical roles.

DOMESTIC FIELD OFFICE STRUCTURE

In report GAO-16-288, GAO noted that the Secret Service does not have reliable salary or benefits cost data for each of its offices, which in turn does not allow the Secret Service to make the most accurate decisions about the geographic locations and staffing levels for those offices. The Secret Service is encouraged to consult with GAO and the Office of Personnel Management on the best way to utilize the metrics it already collects to conduct a comparative cost and performance analysis of its domestic field offices to include the cost of agent travel. The Secret Service shall brief the Committee on its progress in addressing GAO's recommendations not later than 30 days after the date of enactment of this act.

STATE AND LOCAL CYBERCRIME TRAINING

For fiscal year 2017, the Committee recommends \$13,869,000 in continued support of the National Computer Forensics Institute [NCFI] which trains State and local law enforcement and legal and judicial professionals in computer forensics and cyber investigations. This training is critical to bolster State and local cyber resources while similarly acting to support the Secret Service's Electronic Crimes Task Forces. Since opening in 2008, more than 4,800 State and local officials, including more than 3,200 police investigators, 1,300 prosecutors, and 350 judges from all 50 States and three U.S. territories have been trained through NCFI.

CYBER INVESTIGATIONS

From fiscal year 2011 through the first half of fiscal year 2016, the Secret Service has arrested 3,755 individuals domestically, and 1,519 additional individuals overseas, in conjunction with Secret Service foreign law enforcement partners. During this same time period, the Secret Service prevented over \$5.4 billion in fraud loss and identified approximately \$1.3 billion in actual fraud loss in cybercrime investigations.

Since the Congress passed the Comprehensive Crime Control Act of 1984, the Secret Service has arrested over 29,000 cyber criminals who in aggregate were responsible for over \$3.3 billion in fraud loss and \$38 billion in potential fraud loss as of March 2016. Since fiscal year 2014, the agency's proactive approach to cyber law enforcement is credited with responding or making notifications to over 780 potential victim companies preventing billions of dollars in losses. To that end, the Secret Service continues to train newly hired agents in basic investigation of computers and electronic crimes.

Through the Critical Systems Protection [CSP] program, the Secret Service also detects and mitigates cyber-attacks to critical systems and infrastructure that could adversely affect the implementation of the Secret Service-led security plans. Since fiscal year 2014, the CSP program has conducted 452 advances in direct support of protective operations, which includes: 265 for the President; 164 for the Vice President; 8 for National Special Security Events [NSSE]; and 15 for visiting foreign heads of state and government.

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

The National Center for Missing and Exploited Children [NCMEC] was created in 1984 to serve as the Nation's resource on missing and sexually exploited children. The Secret Service has provided grant funding to NCMEC since 1997 and currently provides about 18 percent of its Federal funding including staff analysts in the Exploited Children Division, the entire Age Progression Unit, and numerous other outreach and prevention programs. The Secret Service also directly supports NCMEC with forensic, technical, and investigative support. In fiscal year 2015, the Secret Service, in its independent support of missing and exploited children investigations, opened 77 cases that resulted in 73 arrests, conducted 258 polygraph examinations, and completed 137 forensic and computer examinations.

For fiscal year 2017, the Committee recommends \$6,000,000 for grants in support of missing and exploited children and expects the Secret Service to sustain forensic support at the fiscal year 2016 level of \$2,366,000.

NATIONAL SPECIAL SECURITY EVENTS

The Committee recommends \$4,500,000, as requested, for support to currently planned and unanticipated NSSEs for fiscal year 2017. The Committee directs the Secret Service to provide semi-annual briefings on the use of these funds, with the first briefing to occur not later than March 31, 2017. Also included in the bill is a general provision that states that none of the funds in this act may be used to reimburse any Federal department or agency for its participation in an NSSE.

STRATEGIC HUMAN CAPITAL PLAN

The Committee directs that not later than 60 days after the date of enactment of this act, the Secret Service provide an update, in the form of a briefing, on changes to its 2015 through 2019 strategic human capital plan. The briefing shall address how the Secret Service is progressing against hiring goals laid-out in that plan and also address the annual cost and participation of various hiring and retention initiatives, such as the Uniformed Division Retention Bonus.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2016	\$79,019,000
Budget estimate, 2017	89,010,000
Committee recommendation	89,010,000

This appropriation provides funding for security upgrades of existing facilities; for information integration and technology transformation [IIT]; to continue development of the current master plan; to maintain and renovate existing facilities, including the James J. Rowley Training Center [Center]; and to ensure efficient and full utilization of the Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$89,010,000 for infrastructure improvements, IITT, and other activities. This is \$9,991,000 above the amount provided in fiscal year 2016. Of this amount, \$5,557,000 is for facilities, \$38,216,000 is for the Protection of Persons and Facilities, and \$45,237,000 is for IITT.

The Committee directs that not less than \$27,200,000 be made available for radio upgrades. In 2016, the OIG noted that continued use of the Secret Service's outdated radio communications systems "may negatively impact . . . protective operations", which is unacceptable. The Committee also fully funds the acquisition and production costs associated with the Next Generation Presidential Limousine, although the Committee requires additional detail on the program in future budget submissions.

The Secret Service is directed to brief the Committee no later than 90 days after the date of enactment of this act, which includes a multiyear investment and management plan, for its IITT program for fiscal years 2017 through 2019.

JAMES J. ROWLEY TRAINING CENTER

The Committee recommends \$5,557,000 for improvements and construction at the Center. This funding supports significant investments made by the Committee in fiscal year 2016, including renovations to shoot houses and ranges, design and construction of a new canine kennel, and exploratory funds associated with the White House Mock-Up. All of this funding will be critical to the Secret Service as they seek to hire significant numbers of personnel—many of whom will matriculate through the Beltsville, MD facility.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

The National Protection and Programs Directorate [NPPD] aims to foster better integration of national approaches between strategic homeland security programs, facilitate infrastructure protection, ensure broad emergency communications capabilities, and ensure the protection of Federal buildings and facilities.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Management and Administration	62,132	62,077	56,536
Infrastructure Protection and Information Security:			
Infrastructure Protection	273,409	256,240	257,019
Cybersecurity	818,749	1,057,543	1,004,901
Communications	198,842	212,908	212,792
Subtotal, Infrastructure Protection and Information Security	1,291,000	1,526,691	1,474,712
Federal Protective Service	1,443,449	1,451,078	1,451,078
Office of Biometric Identity Management ¹	282,473		287,149
Total, National Protection and Programs Directorate (gross)	3,079,054	3,039,846	3,269,475
Offsetting fee collections	-1,443,449	-1,451,078	-1,451,078
Total, National Protection and Programs Directorate (net)	1,635,605	1,588,768	1,818,397

¹ The request proposes funding for OBIM in CBP.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2016	\$62,132,000
Budget estimate, 2017	62,077,000
Committee recommendation	56,536,000

This account funds salaries and expenses for the Office of the Under Secretary, which oversees all activities of NPPD. This account also funds business operations and information technology support services.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$56,536,000 for Management and Administration, \$5,541,000 below the amount requested and \$5,596,000 below the amount provided in fiscal year 2016. Of the total amount recommended for Management and Administration, \$2,523,000 is a result of the denied transfer of OBIM to CBP. Further, reductions are recommended to account for current hiring efforts which are slower than anticipated.

REORGANIZATION AND HUMAN CAPITAL MANAGEMENT

Critical infrastructure protection, cybersecurity and securing the dot-gov domain, protecting Federal facilities, and managing key policy domains such as biometrics are NPPD's critical mission areas within the Department. NPPD, as one of the youngest components in the Department, continues to hone its mission and also struggle with how to deliver that mission by continually evaluating potential reorganizations. While organizational development in a changing threat environment has challenges, consistent realignment of resources has led to confusion and churn among NPPD partners and stakeholders, including the Congress. Fortunately, despite the churn in headquarters, many of the hardworking men and women of the Directorate remain committed to the core missions and have not allowed critical programs to falter. However, NPPD and the authorizing committees of jurisdiction must work together to settle on an organizational structure and improve mission clarity in order to deliver on substantial taxpayer investments.

While marginal progress has been made in the past 12 months, NPPD proposed a budget for fiscal year 2017 with unrealistically optimistic staffing levels. In fiscal year 2016, the level provided assumed funding for 1,792 FTE, not including the Federal Protective Service [FPS]. Despite projections to have only 1,760 FTE hired by the end of fiscal year 2016, the current budget submissions includes a request of 2,289 FTE. Therefore, the Committee recommends appropriate adjustments and a budget right-sized for NPPD's hiring and attrition.

FACILITIES MANAGEMENT

The Committee is concerned that while many components have a clear strategic way forward for housing the Federal workforce, NPPD does not. NPPD, in conjunction with DHS, is directed to brief the Committee not later than 45 days after the date of enactment of this act on the 5-year plan for ensuring appropriate office space and otherwise supporting headquarters, regional, and field staff. The plan shall ensure that the headquarters staff is appropriately consolidated and that whenever possible the regional offices are collocated with other components to maximize mission collaboration.

COMPONENT COLLABORATION

The role of NPPD within the Department is vital to the overall mission, and priorities must be focused, coordinated, and consistent. Much of the NPPD mission crosses multiple directorates within the Department, particularly with FEMA. The Committee maintains an interest in maximizing the efforts of FEMA and NPPD through close coordination and information sharing. The Committee expects FEMA and NPPD to jointly brief on continued collaboration, with other components as appropriate, starting no later than 90 days after the date of enactment of this act, and continuing quarterly throughout the fiscal year. Briefs shall detail how the components work together on stakeholder outreach and sharing information internally on issues such as critical infrastructure protection, supporting event response, coordination of emergency com-

munications, cybersecurity strategy and policies, sector-specific issues, and sharing of best practices.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

Appropriations, 2016	\$1,291,000,000
Budget estimate, 2017	1,526,691,000
Committee recommendation	1,474,712,000

Infrastructure Protection and Information Security [IPIS] programs assist the entities and people responsible for securing the Nation's critical infrastructure assets. In addition, IPIS supports collaborative efforts with State, local, public, private, and international entities to secure cyber-space and U.S. cyber-assets, and reduce the vulnerability of the Nation's telecommunications and information technology infrastructures.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$1,474,712,000 for Infrastructure Protection and Information Security programs, \$51,979,000 below the amount requested and \$183,712,000 above the amount provided in fiscal year 2016. The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Infrastructure Protection and Information Security:			
Infrastructure Protection:			
Infrastructure Analysis and Planning	75,010	56,342	73,814
Sector Management and Governance	70,848	64,972	61,084
Regional Field Operations	49,151	56,259	49,790
Infrastructure Security Compliance	78,400	78,667	72,331
Subtotal, Infrastructure Protection	273,409	256,240	257,019
Cybersecurity and Communications:			
Cybersecurity:			
Cybersecurity Coordination	4,434	4,337	4,337
US-Computer Emergency Readiness Team [US-CERT] Operations	94,485	128,850	117,042
Federal Network Security	136,055	315,760	281,543
Network Security Deployment	475,822	486,105	480,489
Global Cybersecurity Management	26,702	16,487	23,749
Critical Infrastructure Cyber Protection and Aware- ness	74,229	99,443	91,180
Business Operations	7,022	6,561	6,561
Subtotal, Cybersecurity	818,749	1,057,543	1,004,901
Communications:			
Office of Emergency Communications	34,205	32,680	33,860
Priority Telecommunications Services	63,095	63,957	63,957
Next Generation Networks	80,384	89,780	89,780
Programs to Study and Enhance Telecommunications	10,334	10,221	10,221
Critical Infrastructure Protection Programs	10,824	16,270	14,974
Subtotal, Communications	198,842	212,908	212,792

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY—Continued

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Subtotal, Cybersecurity and Communications	1,017,591	1,270,451	1,217,693
Total, Infrastructure Protection and Information Security	1,291,000	1,526,691	1,474,712

INFRASTRUCTURE PROTECTION

The Committee recommends \$257,019,000 for Infrastructure Protection [IP], \$779,000 above the amount requested and \$16,390,000 below the amount provided in fiscal year 2016. Of the total amount recommended, \$1,157,000, half the amount requested, is for additional Protective Security Advisors [PSA] since it is unlikely all positions will be filled by the end of the year. If increases to the PSA or corresponding Cybersecurity Advisor cadres are to be proposed in future budgets, NPPD is directed to concurrently submit strategic documentation justifying such requests. Furthermore, the \$2,000,000 requested increase for the National Infrastructure Coordinating Center is denied due to lack of satisfactory justification. Additional reductions are recommended to account for current hiring efforts which are slower than anticipated.

NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER

Of the total amount recommended for Infrastructure Protection, not less than \$18,650,000, the same amount as provided in fiscal year 2016, is for the National Infrastructure Simulation and Analysis Center [NISAC]. NISAC is key to understanding the impact and cascading effects of infrastructure failures and disruptions. The Committee recognizes the important mission of NISAC, and also encourages NPPD to ensure the Center remains mission-focused with a vision toward the future and ability to highlight return on investment.

BOMBING PREVENTION

The Committee recommends \$14,263,000 for the Office of Bombing Prevention [OBP], including salaries and benefits. The recommended level is the same as fiscal year 2016 and is included in NPPD despite funds being requested within a new CBRNE Office, as it is not yet authorized by the Congress. This funding will sustain needed training, information sharing, and awareness for State, local, and private sector entities regarding how terrorists use explosives, in addition to needed analysis of counter-explosives requirements, capabilities, and gaps. The Committee is aware of OBP's efforts to work with the National Guard on training and encourages the office to analyze efficiencies that could be gained through coordination with the National Guard mission.

CHEMICAL SECURITY

The Committee recommends \$72,331,000 for Infrastructure Security Compliance, \$6,336,000 below the request and \$6,069,000 below the amount provided in fiscal year 2016. Reductions are recommended to account for current hiring efforts which are slower

than anticipated. These funds support the Chemical Facility Anti-Terrorism Standard program which secures the Nation's high-risk chemical facilities through regulation, inspection, and enforcement. As requested, no funds are provided for the Ammonium Nitrate Security Program. The Committee encourages NPPD to continue working with stakeholders that manufacture, sell, and transport explosive precursor chemicals to achieve the objectives of the ammonium nitrate rulemaking process taking into consideration the costs and benefits of any recommendations.

INTERAGENCY SECURITY COMMITTEE

Through the Interagency Security Committee [ISC], DHS enables the protection of non-military buildings and facilities owned or leased by the Federal Government. The ISC is chaired by the Assistant Secretary for Infrastructure Protection and develops security standards and best practices for carrying-out this mission. Compliance with these standards can help prevent incidents like the 2014 arson at the Chicago Air Route Control Center which crippled air traffic in the Chicago area for 3 weeks. Within 180 days of the date of enactment of this act, DHS shall brief the Committee on primary agency member compliance with the latest ISC security standards and those agencies which are not in compliance.

CYBERSECURITY

The Committee recommends \$1,004,901,000 for Cybersecurity programs, \$52,642,000 below the budget request and \$186,152,000 above the fiscal year 2016 level. This recommendation includes many of the requested increases above fiscal year 2016 funding levels to enhance the Federal cybersecurity posture through mitigation, prevention, and response. Of the amount requested, half of the \$5,006,000 proposed increase for Industrial Control Systems-Computer Emergency Readiness Teams [CERT] Training and Assessments is recommended, and further reductions from the request are included to account for budget constraints and current hiring efforts which are slower than anticipated.

NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER

The Committee remains committed to ensuring efforts within the National Cybersecurity and Communications Integration Center [NCCIC] include metrics throughout programs and processes such as: properly scaling operations, particularly in regard to engagement with stakeholders; implementing policies and procedures to provide technical assistance in conjunction with US-CERT to Federal civilian agencies to prevent and respond to data breaches, including those involving unauthorized access to personally identifiable information; and improving the threat indicator process to better align information with action.

The NCCIC is partially funded from multiple PPAs across NPPD and the Committee appreciates the increased visibility into the accounts which comprise NCCIC funding. In fiscal year 2016, the NCCIC received \$155,358,000 and the fiscal year 2017 request includes \$212,602,000. Many PPAs have been reduced for current

hiring efforts which are slower than anticipated, but the Committee supports the intent behind the proposed NCCIC staffing plan and encourages NPPD to support it as practicable.

U.S. COMPUTER EMERGENCY READINESS TEAMS

Of the total amount for cybersecurity, the Committee recommends \$117,042,000 for US-CERT, \$11,808,000 below the request and \$22,557,000 above the fiscal year 2016 level. Increases partially support requested funding for the NCCIC staffing plan and reductions are recommended to account for current hiring efforts which are slower than anticipated. US-CERT assists government agencies and private sector companies in protecting their IT systems against emerging cyber threats, vulnerabilities, or incidents. US-CERT also conducts vulnerability and malware analysis and support forensic investigations.

FEDERAL NETWORK SECURITY

Of the total amount for cybersecurity, the Committee recommends \$281,543,000 for Federal Network Security, \$34,217,000 below the request and \$145,488,000 above fiscal year 2016. Included in this funding is \$246,632,000 for continuous diagnostics and mitigation [CDM] for the civilian Federal computer network to detect malicious activity on government networks. Through the CDM program, NPPD provides Federal civilian agencies with tools and services to identify network security issues. CDM provides each agency with detailed information into specific, prioritized risks through the use of dashboards. The amount recommended will allow for the acceleration and availability of CDM and expand the capabilities across most of the entire civilian Federal domain, evolving beyond network protections to include data protections. This will significantly enhance the data protection capabilities of departments and agencies. Recommended funding supports full implementation of CDM Phases 1-3 and \$81,831,000 of the \$110,000,000 requested toward Phase 4. While the Committee fully supports the CDM mission, the reduction in Phase 4 is due to scalability and fiscal constraints.

Due to the ever-changing cybersecurity landscape and increased vulnerabilities to sensitive data, the Committee agrees with CDM's programmatic strategy to evolve beyond network protections and include data protections. The Committee expects these new CDM capabilities, to include digital rights management, micro-segmentation, data masking, encryption and decryption, and mobile device management, will be accelerated and incorporated into future phases of CDM development.

The Committee also notes NPPD's efforts to provide solutions to the most pressing information security challenges through the Information Systems Security Line of Business. The Committee expects NPPD to continue engaging civilian departments and agencies regarding this effort.

As directed through previous appropriations acts, each participating department and agency must continue to plan and budget for security needs consistent with current law and policies as well as emerging threats and needs. NPPD shall provide its expertise

and capabilities to supplement, but not supplant, the budget and responsibilities of other agencies.

NETWORK SECURITY DEPLOYMENT

Of the total amount for cybersecurity, the Committee recommends \$480,489,000 for Network Security Deployment which includes the National Cybersecurity Protection System [NCPS], known as Einstein. The recommended amount is \$4,667,000 above fiscal year 2016 and \$5,616,000 below the request due to delayed hiring. NCPS will allow NPPD continued deployment of new intrusion prevention, information sharing, and analytic capabilities across the Federal civilian departments and agencies to enhance protection from cyber threats. The Einstein system was deployed in 2004 and has been upgraded in stages to address the evolving threat through technological advances. As of February 2016, approximately 33 Federal agencies, representing half of the dot-gov user population receive Einstein-3 services, and 96 percent receive basic Einstein support. In addition to the core mission of NCPS, the Committee supports efforts through the Shared Cybersecurity Services Program to expand the threat intelligence data sources available for civilian Federal agencies as well as critical infrastructure partners.

GLOBAL CYBERSECURITY MANAGEMENT

The Committee recommends \$23,749,000 for Global Cybersecurity Management, of which no less than \$14,179,000 is for cybersecurity education. Of the amount provided for cybersecurity education, the Committee rejects the proposed reduction to the Cybersecurity Education and Training Assessment Program. For the third consecutive year, the administration's ill-advised severe reductions to funding for cybersecurity education are denied due to a lack of a clear transition plan for this critical effort. Due to the importance of the Software Assurance Program, the Committee again rejects the proposal to eliminate funds for the program and includes \$1,679,000, the same as provided in fiscal year 2016.

The Committee is concerned about the ability of rural States to train the upcoming workforce to meet future cybersecurity threats, including the need to prevent systems in these regions from being domains for intrusion by hostile or foreign interests. Some of these rural States have limited options for cyber-education, training, and research. As future priorities for cybersecurity education are evaluated, the Committee directs NPPD to continue considering education providers that specialize in the delivery of nationally recognized onsite and Internet-based education programs. Programs focusing on issues such as creation of new and updated curricula, development of simulation and animation delivery of degree program training and education, workforce development, and creation of mentorship and technician-level research opportunities will broaden the appeal of cybersecurity education programs nationwide.

INTRUSIONS OF INFORMATION SYSTEMS AND CRITICAL INFRASTRUCTURE

In a time of increasing cyber-threats, the Nation must ensure the critical infrastructure, which the Department has already identified as being at great risk in the event of a cyber-attack, is protected from causing catastrophic harm. NPPD, in coordination with other appropriate sector-specific agencies, shall identify the number and sophistication of successful intrusions of information systems essential to the operation of critical infrastructure identified pursuant to Section 9(a) of Executive Order 13636 of February 12, 2013. Furthermore, NPPD, in coordination with other sector-specific agencies, shall evaluate options for significantly reducing the likelihood that a single cyber-attack could reasonably result in catastrophic harm to public health or safety, economic security, or national security. An initial briefing outlining the strategy for this assessment shall be provided within 180 days of the date of enactment of this act with a final report due by the end of fiscal year 2017.

STATE AND LOCAL CYBERSECURITY SUPPORT

The Committee recognizes the vulnerabilities of State and local government to cyber-attacks. Within 120 days of the date of enactment of this act, NPPD shall brief the Committee on the types of assistance, including technical and formal ongoing engagement, available to State and local governments, including law enforcement agencies, for the purpose of protecting their own networks. The Department shall also further work to include State and local law enforcement agencies in the National Cybersecurity Review, and continue to raise awareness among these agencies on the need to strengthen their own cyber-defenses and on the resources available for such purposes.

EMERGENCY COMMUNICATIONS

Of the total amount recommended, \$33,860,000 is for the Office of Emergency Communications [OEC], \$1,180,000 above the amount requested, and \$345,000 below the fiscal year 2016 level. Of the total amount provided for OEC, \$2,000,000 shall be used to continue those projects aiding in the development of the National Emergency Communications Plan. Reductions to the request are due to slower than anticipated hiring.

FEDERAL PROTECTIVE SERVICE

Appropriations, 2016	\$1,443,449,000
Budget estimate, 2017	1,451,078,000
Committee recommendation	1,451,078,000

The Federal Protective Service [FPS] is responsible for the security and protection of Federal property under the control of the General Services Administration [GSA]; and for the enforcement of laws for the protection of persons and property, the prevention of breaches of peace, and enforcement of any rules and regulations made and promulgated by the GSA Administrator and/or the Secretary. The FPS authority can also be extended by agreement to any area with a significant Federal interest. The FPS account pro-

vides funds for the salaries, benefits, travel, training, and other expenses of the program, offset by collections paid by GSA tenants and credited to the account.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,451,078,000, as requested, for salaries and expenses of the Federal Protective Service for fiscal year 2017. This amount is fully offset by collections of security fees.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

FEDERAL PROTECTIVE SERVICE

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Basic security	275,763	290,669	290,669
Building-specific Security	665,121	647,843	647,843
Reimbursable Security Fees (Contract Guard Services)	502,565	512,566	512,566
Total, Federal Protective Service	1,443,449	1,451,078	1,451,078
Offsetting Fee Collections	— 1,443,449	— 1,451,078	— 1,451,078

For several years now, the Committee has included a provision requiring a strategic human capital plan. The requirement is meant to allow FPS to utilize data to help manage risk-based resource allocation efforts and the Committee will continue following progress as FPS moves toward implementation.

In OIG-16-02, the DHS OIG found that FPS is not effectively managing its vehicle fleet. Issues included a lack of justification that the current fleet is necessary to perform the mission; more vehicles than officers; the addition of discretionary equipment; home-to-work miles; and the allocation of administrative vehicles. The Committee directs FPS to implement all recommendations of the OIG report without delay.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

Appropriations, 2016	\$282,473,000
Budget estimate, 2017 ¹	
Committee recommendation	287,149,000

¹ The budget request proposes to fund OBIM in CBP at \$305,536,000.

MISSION

The mission of OBIM is to collect, maintain, and share biometric data with authorized DHS, Federal, State, tribal, and local law enforcement agencies, and strategic foreign partners. As the agency responsible for maintaining the Automated Biometric Identification System [IDENT] and a biometric center of expertise, OBIM provides an invaluable capability to ensure national security, public safety, and the integrity of the Nation's immigration system. OBIM is charged with fostering full interoperability and real-time data sharing among the Homeland Security, Justice, and Defense Departments' biometric identity management systems. OBIM also must ensure that biometrics can be used to link associated biographic information such that individuals can be uniquely identi-

fied, serving its customers' security, facilitation, and customer service needs.

COMMITTEE RECOMMENDATION

The Committee recommends \$287,149,000 for OBIM. This is \$18,387,000 below the request within CBP and \$4,676,000 above the amount provided in fiscal year 2016. In the absence of appropriate authorizing legislation, the requested transfer of OBIM to CBP is denied. Of the total amount available, the Committee expects OBIM to allocate not less than \$52,800,000 for Increment 2 of the Homeland Advanced Recognition Technology [HART], the successor system to IDENT. This recommendation includes funding for the planning, acquisition, and maintenance for Increment 2 of the new system, and assumes an additional \$8,000,000 from recoveries is available. Only half of the requested \$12,500,000 for operations and maintenance is recommended due to contracting delays. OBIM is directed to find cost savings across all phases as system construction begins, ensure measurable performance metrics are built-in to ensure proper assessment of the new system, and include this information in briefings for the Committee.

SEMIANNUAL BRIEFINGS

OBIM is directed to continue briefing the Committee on a semi-annual basis on its workload and service levels, staffing, modernization efforts, and other operations.

FOCUSED CUSTOMER SERVICE

As development of the HART system continues, OBIM is expected to maintain strong coordination with DHS components such as TSA and CBP as well as interagency partners like DOD. Sustained coordination will allow a focus on customer needs in the new system and ongoing biometric policies. OBIM shall incorporate the latest, proven biometric technology—including advances in facial recognition technology—in its ongoing enhancements to the new system and ensure the needs of stakeholders are addressed. OBIM shall also work with DOD to include implementing interim solutions to expand interagency biometric data-sharing, ingesting all data deemed shareable by DOD from their Automated Biometric Identification System [ABIS] into IDENT, so that ABIS data is available to all DHS IDENT users. Additionally, as directed previously by this Committee, OBIM shall continue partnering with TSA to ensure full integration of HART capabilities into the efforts being made in the Technology Infrastructure Modernization. OBIM is directed to include the status of these projects in its semiannual briefings.

IDENTITY SERVICES

DHS is encouraged to work cooperatively with the Departments of Justice, Defense, and State to standardize and share biometric information. The Committee directs OBIM to continue semiannual briefings on progress toward integrating the various systems, including Unique Identity, to describe existing capability gaps and a methodology by which to close them. Further, the Committee en-

courages OBIM to continue its data sharing and connectivity improvement efforts with the Intelligence Community.

OFFICE OF HEALTH AFFAIRS

Appropriations, 2016	\$125,369,000
Budget estimate, 2017 ¹	
Committee recommendation	108,293,000

¹The budget request proposes to fund OHA in a new CBRNE Office at \$120,293,000.

The Office of Health Affairs [OHA], headed by the Chief Medical Officer who also serves as the Assistant Secretary for Health Affairs, leads the Department on medical issues related to natural and man-made disasters; serves as the principal advisor to the Secretary on medical and public health issues; coordinates biodefense activities within the Department; and serves as the Department's primary contact with other departments and State, local, and tribal governments on medical and public health issues.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$108,293,000, \$12,000,000 below the requested amount within the CBRNE Office and \$17,076,000 below the fiscal year 2016 level, for OHA programs. The recommended level in this account reflects funds that were requested for a new CBRNE Office that is not yet authorized by the Congress.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

OFFICE OF HEALTH AFFAIRS

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request ¹	Committee recommendations
BioWatch	82,078		69,878
National Biosurveillance Integration Center	10,500		8,000
Chemical Defense Program	824		811
Planning and Coordination	4,957		4,906
Salaries and Expenses	27,010		24,698
Total, Office of Health Affairs	125,369		108,293

¹The budget request proposes to fund OHA in a new CBRNE office at \$120,293,000.

BIOWATCH

The Committee recommends \$69,878,000 for the BioWatch Program, \$12,000,000 below the amount requested in the proposed CBRNE Office, and \$12,200,000 below the amount provided in fiscal year 2016. This funding sustains BioWatch jurisdictional support including field and laboratory operations, logistical support, and special event requirements. In lieu of providing funds for recapitalization, training, and other support activities of the current system, the balance of the request, \$12,000,000 is recommended in S&T to speed the development of a new bio-detection technology. While this shift in resources could have a limited impact on current operations, OHA is directed to minimize the effect wherever possible in the interest of advancing a new technology. Further direc-

tion on the allocation of these funds is included in the S&T portion of this report.

NATIONAL BIOSURVEILLANCE INTEGRATION CENTER

The Committee recommends \$8,000,000 for the National Biosurveillance Integration Center [NBIC], the same amount as requested in the proposed CBRNE Office and \$2,500,000 below the amount provided in fiscal year 2016.

CHEMICAL DEFENSE PROGRAM

The Committee recommends \$811,000 for the Chemical Defense Program, the same amount as requested in the proposed CBRNE Office and \$13,000 below the amount provided in fiscal year 2016.

WORKFORCE HEALTH PROTECTION

An Institute of Medicine of the National Academies report, entitled "Advancing Workforce Health at the Department of Homeland Security," found "workforce health protection and medical services programs vary significantly across DHS, with little coordination and integration." The Committee notes OHA is developing an implementation plan to address the shortcomings identified in the report which will be completed in September 2016. OHA is directed to brief the Committee on the implementation plan and any gaps identified upon completion. The brief shall also include how DHS and components address the health needs, such as awareness of local medical risks and health systems, of DHS employees temporarily deployed overseas and what tools or information resources are used to acquire, display, and analyze international health data.

FEDERAL EMERGENCY MANAGEMENT AGENCY

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

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

(In thousands of dollars)

	fiscal year 2016 enacted	fiscal year 2017 budget request	Committee recommendations
Salaries and Expenses	960,754	1,068,203	1,044,764
State and Local Programs	1,500,000	1,018,543	1,544,469
Firefighter Assistance Grants	690,000	670,000	680,000
Emergency Management Performance Grants	350,000	350,000	350,000
Radiological Emergency Preparedness Program	— 305	— 265	— 265
United States Fire Administration	44,000	42,312	44,000
Disaster Relief Fund:			
Base	661,740	639,515	639,515
Disaster Relief Category	6,712,953	6,709,000	6,709,000
Subtotal, Disaster Relief Fund	7,374,693	7,348,515	7,348,515
Flood Hazard Mapping and Risk Analysis Program	190,000	177,531	177,531
National Flood Insurance Fund	181,198	181,799	181,799
National Predisaster Mitigation Fund	100,000	54,486	100,000
Emergency food and shelter	120,000	100,000	100,000
Total, Federal Emergency Management Agency	11,329,142	10,829,325	11,389,014

SALARIES AND EXPENSES

Appropriations, 2016	\$960,754,000
Budget estimate, 2017	1,068,203,000
Committee recommendation	1,044,764,000

Funding for FEMA Salaries and Expenses provides for the development and maintenance of an integrated, nationwide capability to prepare for, mitigate against, respond to, and recover from the consequences of major disasters and emergencies, regardless of cause, in partnership with Federal agencies, State, local, and tribal governments, volunteer organizations, and the private sector. The Salaries and Expenses account supports FEMA's programs by coordinating between headquarters and regional offices the policy, managerial, resource, and administrative actions.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total appropriation of \$1,044,764,000 for FEMA Salaries and Expenses, including a transfer from the Disaster Readiness and Support [DRS] programs within the Disaster Relief Fund [DRF] account as requested. Excluding the transfer, the amount provided is \$20,684,000 below fiscal year 2016 level and \$23,439,000 below the request. The recommendation

includes the transfer of \$104,694,000 in activities from the DRS after a significant effort to evaluate resources and realign funds to ensure transparency on funds needed for base FEMA operations as opposed to disaster readiness and disaster response. Unless otherwise noted, reductions are recommended to account for lower than anticipated staffing levels. The Committee applauds FEMA's recent hiring efforts, and accordingly provides funding recommendations based on the current projected fill rate.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

SALARIES AND EXPENSES

(In thousands of dollars)

	fiscal year 2016 enacted	fiscal year 2017 budget request	Committee recommendations
Administrative and Regional Offices	236,802	247,788	233,007
Office of National Capital Region Coordination	(3,422)	(3,460)	(3,460)
Preparedness and Protection	189,581	164,656	161,394
Response	174,124	189,923	190,915
Urban Search and Rescue Response System	(35,180)	(27,513)	(35,180)
Recovery	49,763	58,687	57,023
Mitigation	27,957	24,887	27,579
Mission Support	181,610	220,464	213,286
Centrally Managed Accounts	100,917	161,798	161,560
Total, Salaries and Expenses	960,754	1,068,203	1,044,764

PROGRAM ACTIVITIES

Of the total amount made available for Salaries and Expenses, \$15,500,000 is included for Mount Weather capital improvements and operations, as requested.

Of the total amounts recommended, not less than: \$2,000,000 is for the Emergency Management Assistance Compact [EMAC] under the Preparedness and Protection PPA; \$2,136,625 is for the National Hurricane Program under the Response PPA; \$8,500,000 is for the National Earthquake Hazards Reduction Program and \$9,100,000 is for the National Dam Safety Program under the Mitigation PPA. Funding levels for each of these programs are maintained at fiscal year 2016 levels after adjusting for one-time expenditures. The repeated request for reduced funding for EMAC seems shortsighted. EMAC funds ensure States support other States during a disaster possibly preventing the need to call up Federal resources.

The Committee notes that FEMA is carrying out Phase 2 of the performance based seismic design philosophy [PBSD], which demonstrates how the design and construction of buildings can reflect realistic and reliable resiliency. Previous results of the philosophy have been captured and described in the most recent edition of the International Building Code. FEMA is directed to brief the Committee not later than 45 days after the date of enactment of this act on plans to work with the consensus standards and model building code community to place these updated PBSD guidelines into the model codes.

Coordination among Federal agencies and State and local partners on public warning systems for earthquakes is a critical compo-

ment of the West Coast Earthquake Early Warning System and other efforts in the Nation with the threat of earthquakes. FEMA is directed to brief the Committee not later than 60 days after the date of enactment of this act on such coordination efforts, including those with the U.S. Geological Survey and the Federal Communications Commission.

The Committee commends FEMA Region 10 for signing the Puget Sound Federal Caucus Memorandum of Understanding [MOU] on March 18, 2014. The recovery and cleanup of Puget Sound is essential to our Nation's economy and continued coordination and sharing of expertise among Federal partners is critical to furthering current efforts. The Committee directs FEMA to work with its counterparts in the Puget Sound Federal Caucus to renew and strengthen the MOU prior to its expiration on March 27, 2017.

THREAT HAZARD IDENTIFICATION AND RISK ASSESSMENT

The Committee commends FEMA for the continued work with the Threat Hazard Identification and Risk Assessment [THIRA], State Preparedness Reports, and the National Preparedness Report and encourages efforts to develop a nationwide THIRA. Each of these links in the preparedness system remains critical to properly assessing ongoing activities, revealing gaps in capabilities, and demonstrating the value of Federal investments through grant funding. Currently, State grant recipients and those participating in the Urban Area Security Initiative [UASI] are required to complete a THIRA. These assessments will prove even more valuable with input from all levels of government. Therefore, the Committee recommends FEMA work with stakeholders to develop a strategy ensuring all jurisdictions, including ports and transit systems, demonstrate participation in a local, State, or regional THIRA process. This strategy shall be aimed at ensuring all homeland security grants funds are spent in a coordinated manner and should take into account reporting and planning efforts already required, such as those undertaken by ports with the Coast Guard. With that in mind, the Committee supports current efforts by FEMA to make the THIRA process more user-friendly. The Committee understands FEMA has begun working with State and local governments to address the timing of the THIRA requirement so that participants would complete a full THIRA every 3 years with annual updates when needed. The Committee directs FEMA to continue working with stakeholders to fully implement a solution. Since State and local resources used to develop the THIRA are also the primary assets used during a major disaster or large-scale exercise, lessons learned from those events were not always fully incorporated into the THIRA due to overwhelmed capabilities.

FEDERAL DISASTER DECLARATIONS

Communities often suffer repetitive storms which require separate disaster declarations. Since FEMA and the President consider each storm event separately when deciding whether to declare a Federal disaster, the rules and criteria can sometimes appear to be applied inconsistently. This can lead to confusing results such as when two counties across State lines suffer from a disaster but only one receives a declaration. Therefore, FEMA is directed to work

with stakeholders on the best way to provide clear and descriptive reasoning when Federal assistance is denied so that State and local officials can better understand applied criteria. FEMA shall brief the Committee no later than 45 days after the date of enactment of this act on how this will be accomplished.

DISASTER CLOSEOUTS

There are currently 524 open disasters in 56 States and territories. The Committee understands the time required to closeout all projects from a significant event, but some of these disasters date back to 1994. FEMA is directed to provide a briefing within 60 days of the date of enactment of this act on the status of those disasters open more than 5 years, technical assistance provided grantees to facilitate the expeditious closeout of disasters, and those actions or reforms being considered within the agency and with grantees to speed the closeout process.

INFORMATION TECHNOLOGY RESILIENCE

The Committee supports the ongoing efforts of the FEMA Chief Information Officer [CIO] in continuing to improve the information technology and cybersecurity requirements of the agency. FEMA is now operating under a full IT Modernization Plan which outlines strategic priorities to 2022. Ongoing upgrades include Financial Systems Modernization, the Grants Modernization System, and the new data system at the Federal Insurance and Mitigation Administration to aid in handling flood insurance claims. The Committee is pleased to see FEMA continue to take these initiatives seriously and the budget recommendation reflects the necessary resources for the FEMA CIO to continue these ongoing efforts and recognizes room for improvement. In May 2016, GAO released a report (GAO-16-306) entitled "Information Technology: FEMA Needs to Address Management Weaknesses to Improve Its Systems." The Committee supports the findings of the report including the need for FEMA to fully define its investment board's roles and responsibilities and procedures for selecting and overseeing investments; update its strategic plan and complete plans for IT modernization; and establish time frames for completing workforce planning efforts. The Committee intends to ensure this issue remains a priority for the agency and directs the FEMA CIO to continue semiannual briefings on progress.

STUDYING SUPPLY CHAIN MANAGEMENT

Of the funds recommended, the Committee recommends \$1,500,000 in the Recovery PPA for FEMA to work with NPPD and develop a plan to identify the most effective, innovative, and efficient ways to use the national supply chain to deliver life-saving commodities. The effort shall include an analysis of the resilience of supply chains for commodities such as water, food, pharmaceuticals, medical goods, fuel, and transportation assets and build upon prior work completed by the Regional Catastrophic Preparedness Grant Program. Particular attention shall be given to how public-private partnerships and relationships can be fostered and enhanced to support the supply chain. The plan should also be tied

to core capabilities articulated in the National Preparedness Goal and include specific examples of processes, tools, and outcomes. An initial briefing outlining the strategy for this project shall be provided within 60 days of the date of enactment of this act with a final report due by the end of fiscal year 2017.

OFFICE OF NATIONAL CAPITAL REGION COORDINATION

The Committee recommends \$3,460,000 for the Office of National Capital Region Coordination [ONCRC], the same amount as provided in fiscal year 2016. A permanent provision included in the Department of Homeland Security Appropriations Act, 2013, requires inclusion of the Governors of the State of West Virginia and the Commonwealth of Pennsylvania in the National Capital Region decision-making process for mass evacuations. FEMA is directed to include officials from the counties and municipalities that contain the evacuation routes and their tributaries in the planning process.

URBAN SEARCH AND RESCUE RESPONSE SYSTEM

The Committee recommends \$35,180,000 for the Urban Search and Rescue [USAR] Response System, \$7,667,000 above the request and the same amount as provided in fiscal year 2016. Though the request did not explicitly include funding, FEMA claims they intended to request \$27,513,000 for USAR, as they have in prior years. Funding will sustain the existing system and additional chemical, biological, nuclear, radiological, and explosives capabilities gained in fiscal year 2012.

ENSURING RAIL SECURITY

The Committee recognizes that the increase in crude oil transported by rail poses new challenges to State and local officials and first responders. The objective in ensuring safe crude oil transport must be to prevent accidents and mitigate their impacts when they do occur. This means Federal agencies working together to ensure not only guidelines for tanker car construction, but also sufficient inspectors and track inspections and enhanced training for first responders. The movement of crude oil must be collaborative with all those charged with protecting critical infrastructure. When awarding grants and providing training, the Committee expects FEMA to consider the unique needs of first responders in meeting the issues related to crude oil shipping by rail. FEMA is directed to provide a written report to the Committees no later than 90 days after the date of enactment of this act on its efforts to address the unique needs of first responders related to hazardous materials transportation (including crude oil) and response to incidents. The report shall include the effectiveness of training related to including any identified gaps in the need for additional training or curriculum improvements.

CONSIDERING STRATEGIC MITIGATION PROGRAMS

The National Mitigation Framework and the Mitigation Framework Leadership Group [MitFLG] are the primary efforts for FEMA to promote a robust strategy to reduce the impact of disasters. A strategy must be actionable, measurable, and able to be im-

plemented in a way which unifies and leverages existing programs in an efficient manner but does not rule out new or streamlined programs in the future. Existing mitigation programs span across Federal agencies with FEMA as just one component. In July 2015, the GAO released a report (GAO-15-515) titled *Hurricane Sandy: An Investment Strategy Could Help the Federal Government Enhance National Resilience for Future Disasters*. This report states, "There is no comprehensive, strategic approach to identifying, prioritizing and implementing investments for disaster resilience, which increases the risk that the Federal Government and non-federal partners will experience lower returns on investments or lost opportunities to strengthen key critical infrastructure and lifelines." This conclusion is troubling and must be remedied.

The current suite of mitigation efforts represents an anthology of programs assembled over time. While each program addresses specific needs in the mitigation mission, the overall effort appears uncoordinated limiting the impacts of disaster resiliency efforts.

The Committee directs FEMA and the MitFLG, to create a strategy which helps guide decision-makers across the Federal Government. The strategy shall include recommendations to the executive and legislative branches of the Federal Government on how to best prioritize Federal resources aimed at enhancing disaster resilience; an actionable and measurable investment strategy supported by predictive financial and risk data; and how Federal programs can be better integrated and coordinated with State and local mitigation efforts.

STATE AND LOCAL PROGRAMS

Appropriations, 2016 ¹	\$1,500,000,000
Budget estimate, 2017	1,018,543,000
Committee recommendation	1,544,469,000

¹ Excludes \$50,000,000 provided in a general provision for Countering Violent Extremism.

Funding for State and Local Programs provides grants for training, equipment, planning, and exercises to improve readiness for potential disasters.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,544,469,000 for State and Local Programs, \$525,926,000 above the amount requested in comparable programs and \$44,469,000 above the amount provided in fiscal year 2016. The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

STATE AND LOCAL PROGRAMS

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Grants:			
State Homeland Security Grant Program	467,000	200,000	467,000
Operation Stonegarden	(55,000)		(55,000)
Urban Area Security Initiative	600,000	330,000	600,000
Nonprofit Security Grants	(20,000)		(20,000)
Public Transportation Security/Railroad Security	100,000	85,000	100,000
Amlrak Security	(10,000)	(10,000)	(10,000)
Over-the-Road Bus Security	(3,000)		(3,000)
Port Security Grants	100,000	93,000	100,000
Countering Violent Extremism		49,000	50,000
Regional Competition Grant Program		100,000	
Subtotal, Discretionary Grants	1,267,000	857,000	1,317,000
Education, Training, and Exercises:			
Emergency Management Institute	20,569		20,569
Center for Domestic Preparedness	64,991		67,989
National Domestic Preparedness Consortium	98,000	36,000	101,000
National Exercise Program	19,919		19,911
Center for Homeland Defense and Security and Emer- gency Management Institute		37,643	
Center for Domestic Preparedness and National Exer- cise Program		87,900	
Continuing Training/Center for Homeland Defense and Security	29,521		18,000
Subtotal, Education, Training, and Exercises	233,000	161,543	227,469
Total, State and Local Programs	1,500,000	1,018,543	1,544,469

GRANTS MANAGEMENT

The Committee includes specific timeframes for grant dollar distribution. For each of the grant programs, funding opportunity announcements shall be issued in 60 days, applicants shall apply within 80 days after announcements are made, and FEMA shall act on the application within 65 days after applications are due.

FEMA is encouraged to prioritize grant applications that improve the physical security of eligible large venues for the protection of citizens who congregate in such facilities. FEMA shall give strong consideration to applications supporting the purchase of converged Land Mobile Radios and Long-Term Evolution. FEMA is also encouraged to give robust consideration of applications that develop alternative methods of evacuation at schools and other public buildings.

FEMA is directed to work with grantees, particularly UASI recipients, on planning and sustainment of resources needed for preparedness to ensure that if Federal funding fluctuates, gains in preparedness can be sustained.

COUNTERING VIOLENT EXTREMISM AND COMPLEX COORDINATED
ATTACKS

In Public Law 114-113, the Congress provided \$50,000,000 to the Secretary for emergent threats from violent extremism and from complex, coordinated terrorist attacks. FEMA will execute

\$40,000,000 of those funds focusing on the latter threat, \$1,000,000 through Joint Counterterrorism Awareness Workshops and \$39,000,000 through competitive grants. In support of the Office of Community Partnerships [OCP], FEMA will award \$10,000,000 to more directly build community partnerships necessary to support efforts for countering violent extremism [CVE]. As funded projects begin to bear useful best practices and new approaches, FEMA and OCP shall make the information available in a usable format to other communities. Sharing information will allow communities to develop more effective projects. The funds have 2-year availability to allow careful consideration of the path forward. FEMA is directed to provide a report no later than 180 days after the final grant award for these grants that evaluates the effectiveness of each program and identifies remaining gaps.

It is critical to note that CVE activities are eligible under existing State and Local Grant Programs including the State Homeland Security Grant Program [SHSGP] and UASI. In addition, this bill includes \$50,000,000 dedicated to CVE activities and rejects the proposed 35 percent cut to FEMA's base grant programs.

STATE HOMELAND SECURITY GRANT PROGRAM

The Committee recommends \$467,000,000 for SHSGP, of which \$55,000,000 shall be for Operation Stonegarden. Operation Stonegarden grants shall continue to be competitively awarded and shall not be restricted to any particular border. As in previous years, FEMA is directed to ensure all border States shall be eligible to apply in fiscal year 2017 and ensure preparedness grants are adequately allocated to improve the capabilities of small and rural communities.

URBAN AREA SECURITY INITIATIVE

The Committee recommends \$600,000,000 for UASI, of which \$20,000,000 shall be for nonprofit entities determined to be at high risk by the Secretary.

The Committee notes that the 9/11 Act requires FEMA to conduct a risk assessment for the 100 most populous metropolitan areas annually. All such areas are eligible for UASI funding based on threat, vulnerability, and consequence. FEMA shall justify funding decisions based on risk.

The Committee is concerned FEMA's current risk analysis does not consider certain data points which disproportionately affect non-contiguous states and territories, particularly those with large urban population centers. In particular, FEMA does not incorporate data about the proximity of a Metropolitan Statistical Area [MSA] and the ability for it to receive response resources; real-time data of international visitors; or the significance of the military mission of the defense industrial base assets. The Committee expects FEMA to develop an appropriate way to incorporate these data points when assessing risk for awarding fiscal year 2017 UASI grants. If FEMA is unable to resolve the question of how to incorporate these factors into their fiscal year 2017 risk assessment, the Committee expects FEMA to provide a report to the Committee articulating what the agency has done to attempt compliance with

this directive, listing specifically what obstacles prevented the agency from complying, and providing the agency's plan to comply.

LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

In accordance with section 2006 of the Homeland Security Act of 2002, the Law Enforcement Terrorism Prevention Program [LETPP] is funded through a required set aside of 25 percent of the funds appropriated through the SHSGP and UASI programs. The Committee directs FEMA to provide clear guidance to States and urban areas to ensure that the intent of LETPP is fully realized.

PUBLIC TRANSPORTATION SECURITY ASSISTANCE, RAILROAD SECURITY ASSISTANCE, AND OVER-THE-ROAD BUS SECURITY ASSISTANCE

The Committee recommends \$100,000,000 for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance. Of the recommended amount, \$10,000,000 is for Amtrak security needs and \$3,000,000 is for Over-the-Road Bus Security Assistance.

PORT SECURITY GRANTS

The Committee recommends \$100,000,000 for the Port Security Grant Program. The Committee is concerned some projects lack integration with the homeland security priorities of surrounding jurisdictions. Port Security Grant awards and projects should demonstrate a cooperative vision, integrate the Whole of Community, and illustrate a strategic significance to the country such as those indicated as "Strategic Seaports" by the Surface Deployment and Distribution Command where appropriate.

EDUCATION, TRAINING, AND EXERCISES

The Committee recommends \$227,469,000 for Education, Training, and Exercises, \$65,926,000 above the request and \$5,531,000 below fiscal year 2016.

Of this amount, the Committee recommends \$67,989,000 for the Center for Domestic Preparedness [CDP] which includes \$4,050,000 for facility upgrades, as requested. Also, the recommended level for Salaries and Expenses includes an additional 12 FTE for CDP. This unique facility provides specialized all-hazards preparedness training to State, local, and tribal emergency responders on skills tied to national priorities, particularly those related to terrorist attacks using weapons of mass destruction and mass casualty events. It is the Nation's only live-agent training facility for civilian responders, and it offers a unique environment allowing them to train using toxic nerve agents and live biological agents in safety. For the past several years, a provision has been included in the bill permitting the Administrator to use the funds provided under paragraph (6) under this heading to acquire real property for the purpose of establishing or appropriately extending the security buffer zones for FEMA-owned training facilities. Funding used for such purpose shall only come from funds specifically appropriated to the facility for which the property is acquired. The Committee understands this provision will no longer be necessary after fiscal

year 2017 and expects if circumstances change, the provision will be included in the request for fiscal year 2018.

Within the total, the Committee includes \$101,000,000 for the National Domestic Preparedness Consortium [NDPC], instead of the requested \$36,000,000. The Consortium, authorized by the 9/11 Act, has conducted training in all 50 States and each U.S. territory. Over 2,436,140 first responders have been trained to date. Funding shall be distributed in accordance with the 9/11 Act as in previous years.

The Committee notes that high-profile attention and media coverage of spectator sports and special events present a significant risk as potential targets for international and domestic terrorists. The Committee directs FEMA to provide a briefing not later than 45 days after the date of enactment of this act on resources dedicated to training related to spectator sporting and special events.

The Committee includes \$18,000,000 for the Center for Homeland Defense and Security [CHDS]. CHDS programs include a fully accredited Master's Degree program; executive education seminars for Governors, locally elected officials, and their senior department leaders; an Executive Leaders Program; a Fusion Center Leaders Program; a peer-reviewed online academic journal; a university and agency partnership effort; and an online homeland security library. The Committee includes \$20,569,000 for the Emergency Management Institute, \$926,000 above the request and the same as provided in fiscal year 2016. The Competitive Training Grants are eliminated as requested. To mitigate the impact on first responder training capacity, FEMA should work through its current training institutions to address emerging training needs.

FIREFIGHTER ASSISTANCE GRANTS

Appropriations, 2016	\$690,000,000
Budget estimate, 2017	670,000,000
Committee recommendation	680,000,000

Firefighter assistance grants, as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), assist local firefighting departments for the purpose of protecting the health and safety of the public and firefighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$680,000,000 for firefighter assistance grants, including \$340,000,000 for firefighter assistance grants and \$340,000,000 for firefighter staffing grants, to remain available until September 30, 2018. This is \$10,000,000 above the amount requested and \$10,000,000 less than was provided in fiscal year 2016.

The Committee directs the Department to continue the present practice of funding applications according to local priorities and those established by the United States Fire Administration [USFA], and to continue direct funding to fire departments and the peer review process. The Committee expects that the rural fire department funding level will be consistent with the previous 5-year history, and encourages FEMA to consider the need for resources

for staffing grants to rural departments that meet both local and regional needs. FEMA shall brief the Committee no later than 30 days after the date of enactment of this act if there is an anticipated fluctuation.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2016	\$350,000,000
Budget estimate, 2017	350,000,000
Committee recommendation	350,000,000

Funding requested in this account provides support to the Nation's all-hazards emergency management system and helps to build State and local emergency management capability.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$350,000,000 for Emergency Management Performance Grants [EMPG], which is the same amount as provided in fiscal year 2016. The Committee directs FEMA to retain EMPG as a separate grant program and not to combine its funding with any other grant allocation or application process.

The Committee recognizes EMPG as supporting those who represent the front line in managing disasters across the country. Last year, 43 disasters required a presidential declaration and direct Federal assistance. Beyond that, according to the National Emergency Management Association and U.S. Council of the International Association of Emergency Managers, in fiscal year 2015, 30,275 events required State assets and 19,415 local and tribal events without Federal assistance. Most of this capability is in no small part due to EMPG. The 50 percent match requirement at least doubles the Federal investment and supports training and exercises, public preparedness efforts, communications and warning systems, and mutual aid agreements.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriations, 2016	— \$305,000
Budget estimate, 2017	— 265,000
Committee recommendation	— 265,000

The Radiological Emergency Preparedness [REP] Program assists State and local governments in the development of off-site radiological emergency preparedness plans within the emergency planning zones of commercial nuclear power facilities licensed by the Nuclear Regulatory Commission [NRC]. The fund is financed from fees assessed and collected from the NRC licensees to recover the amounts anticipated to be obligated in the next fiscal year for expenses related to REP program activities.

COMMITTEE RECOMMENDATIONS

The Committee provides for the receipt and expenditure of fees collected, as authorized by Public Law 105-276. The budget estimates fee collections to exceed expenditures by \$265,000 in fiscal year 2017.

UNITED STATES FIRE ADMINISTRATION

Appropriations, 2016	\$44,000,000
Budget estimate, 2017	42,312,000
Committee recommendation	44,000,000

The mission of the USFA is to reduce losses, both economic and human, due to fire and other emergencies through training, research, coordination, and support. USFA also prepares the Nation's first responder and healthcare leaders through ongoing, and when necessary, expedited training regarding how to evaluate and minimize community risk, improve protection to critical infrastructure, and be better prepared to react to all-hazard and terrorism emergencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$44,000,000 for USFA, which is \$1,688,000 above the amount requested and the same amount as provided in fiscal year 2016. The amount included above the request is to allow for the continued development of the National Fire Incident Reporting System and support for the National Fallen Firefighters Memorial.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$7,374,693,000
Budget estimate, 2017	7,348,515,000
Committee recommendation	7,348,515,000

Through the Disaster Relief Fund [DRF], the Department provides a significant portion of the total Federal response to victims in presidentially declared major disasters and emergencies. Major disasters are declared when a State requests Federal assistance and proves that a given disaster is beyond the local and State capacity to respond. Under the DRF, FEMA will continue to operate the primary assistance programs, including Federal assistance to individuals and households; and public assistance, which includes the repair and reconstruction of State, local, and nonprofit infrastructure. The post-disaster hazard mitigation set-aside to States, as part of the DRF, works as a companion piece to the National Predisaster Mitigation Fund.

COMMITTEE RECOMMENDATIONS

The Committee recommends funding the request of \$7,348,515,000 for DRF, of which \$6,709,000,000 is provided under the disaster relief adjustment pursuant to Public Law 112-25. The Committee includes bill language continuing the requirements set forth in Public Law 114-4 with regard to DRF reporting. The Committee recommends bill language transferring \$24,000,000 to OIG for audits and investigations.

Given the rise in the frequency and severity of all hazards, the Committee continues believing States, as well as tribal and local governments, must plan ahead for unexpected costs. Not only will these governments need to have funds to respond to the increasing number of disasters and incidents that do not meet the criteria for Federal assistance, but they also must meet cost share requirements for Presidentially declared disasters. The Committee has not seen demonstrable evidence these concerns are being addressed. Further, GAO, through GAO-16-375SP, found FEMA "could reduce the costs to the Federal Government related to major disasters declared by the President by updating the principal indicator on which disaster funding decisions are based and better measuring a State's capacity to respond without Federal assistance." FEMA is directed to provide a report, in consultation with State and local grantees, outlining specific actions and timeframes for State and local governments to better share information about fiscal preparation for disaster costs no later than 180 days after the date of enactment of this act.

FEMA is directed to provide a briefing not later than 45 days after the date of enactment of this act on how comments were adjudicated pursuant to rulemaking related to factors considered when evaluating Individual Assistance for a Major Disaster, including for wildfire impacted communities, as required in section 1109 of the Sandy Recovery Improvement Act of 2013.

FLOOD HAZARD MAPPING AND RISK ANALYSIS

Appropriations, 2016	\$190,000,000
Budget estimate, 2017	177,531,000
Committee recommendation	177,531,000

This appropriation supports the functions necessary to develop, and keep current, flood risk information and flood maps. The flood maps are used to determine appropriate risk-based premium rates for the National Flood Insurance Program, to complete flood hazard determinations required of the Nation's lending institutions, and to develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$177,531,000 for Flood Hazard Mapping and Risk Analysis as requested and \$12,469,000 below the amount provided in fiscal year 2016. In total, the bill provides \$345,894,000 for flood mapping when combined with \$168,363,000 in fee funded mapping activity.

The Committee recognizes that many communities across the country continue to rely on flood hazard maps that are inaccurate or outdated or that do not reflect the true risks of flooding. Because these maps impact a community's ability to participate in the National Flood Insurance Program, the Committee urges FEMA to closely coordinate with communities to the greatest extent possible to ensure that the data used as part of its ongoing remapping efforts is accurate and integrated with local flood control efforts.

The Committee urges FEMA to implement the final recommendations and goals of the Technical Mapping Assistance Committee's 2015 Annual Report, including forming a National Flood Hazard Risk Management Coordination Committee to help lead the ongoing implementation of the 5-year Flood Hazard Mapping and Risk Assessment Plan. The Committee should not only include Cooperating Technical Partners, but also State agencies and 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.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2016 ¹	\$181,198,000
Budget estimate, 2017 ¹	181,799,000
Committee recommendation ¹	181,799,000

¹ Fully offset by fee collections.

The National Flood Insurance Fund [NFIF] is a fee-generated fund which provides funding for the National Flood Insurance Program [NFIP]. This program enables property owners to purchase flood insurance otherwise unavailable in the commercial market. The National Flood Insurance Act of 1968 authorizes the Federal Government to provide flood insurance on a national basis. This insurance is available to communities which enact and enforce appropriate floodplain management measures and covers virtually all types of buildings and their contents.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$181,799,000, as proposed in the budget, for NFIP activities related to floodplain management, flood mapping and mitigation, and flood insurance operations.

Since 1990, the Community Rating System [CRS] has encouraged voluntary community floodplain management activities in excess of NFIP minimum standards. As a community implements additional mitigation activities, local residents become eligible for NFIP policy discounts. In recent years, the Committee has repeatedly provided direction to FEMA to utilize existing partnerships with public-private, higher-education, not-for-profit, and other institutions with expertise in the CRS program to provide technical assistance and help promulgate the program across the country. The Committee encourages FEMA to consider how to maximize the number of partners available to provide technical assistance including options such as competitive grant programs.

The Committee notes that the Community Assistance Program provides resources to States to assist and monitor NFIP participating communities that is essential to effective implementation of the NFIP. This program provides funding to States who then provide technical assistance to communities in the NFIP and evaluate community performance in implementing NFIP floodplain management activities. Unlike competitive grant programs for projects, its purpose is to build capacity by providing knowledge and expertise and ensure compliance with a Federal program.

The Committee is pleased that the Cooperating Technical Partners effort within the mapping budget contributes to supporting the mapping activities and fosters local confidence in map products. Community buy-in on flood maps often leads to local public and private risk reduction actions. This cooperative fiscal approach benefits all levels of government.

According to deadlines in the Homeowner Flood Insurance Affordability Act and Biggert-Waters Flood Insurance Reform Act of 2012, FEMA is required to submit an affordability framework for flood insurance. Using FEMA's assumed date submission, the last day the Agency must submit the affordability framework to Congress is September 10, 2017, a mere 20 days before the authorization for NFIP sunsets. This will not allow enough time for the Congress to adequately impact this process. Therefore, FEMA is directed to brief the Committee within 5 business days of the date of enactment of this act on the current strategy to meet the September 2017 deadline or provide the framework earlier.

FEMA began a data collection process on April 1, 2016, and anticipates the rate change package by October 1, 2016. FEMA is directed to brief the initial descriptive data statistics and information based on the policy fundamentals of the NFIP gathered through the clear communication process required by Section 28 of the Homeowner Flood Insurance Affordability Act (Public Law 113-89) to the Committee within 90 days of the date of enactment of this act.

NATIONAL PREDISASTER MITIGATION FUND

Appropriations, 2016	\$100,000,000
Budget estimate, 2017	54,486,000
Committee recommendation	100,000,000

The National Predisaster Mitigation [PDM] Fund provides grants to States, communities, territories, and tribal governments for hazard mitigation planning and implementing mitigation projects prior to a disaster event. PDM grants are awarded on a competitive basis. This program operates independent from, but in concert with, the Hazard Mitigation Grant Program [HMGP], funded through the Disaster Relief Fund, which provides grants to a State in which a disaster has been declared.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$100,000,000 for PDM, \$45,514,000 above the amount requested and the same as provided in fiscal year 2016. FEMA is directed to continue ensuring funds be utilized for actual mitigation projects since the past several years have allowed for a greater focus on planning which should become more of a responsibility of grantees.

The Committee is interested in increasing transparency and better articulating the cost-benefits of mitigation grants administered by FEMA. The Committee directs FEMA to develop an annual report summarizing the end-users for these grants, how funding is utilized, and the cost-benefit analysis completed demonstrating the larger impact of these grants.

The Committee notes that mitigation projects for all types of hazards that can attract private sector funding will greatly maximize the number of projects and the benefits from the cost-saving practice of resiliency. This is incredibly important across the Nation and in very high-risk areas like the Cascadia subduction zone. FEMA is directed to brief the Committee prior to making PDM grant applications available on how public-private partnerships will be specifically evaluated when considering projects.

EMERGENCY FOOD AND SHELTER

Appropriations, 2016	\$120,000,000
Budget estimate, 2017	100,000,000
Committee recommendation	100,000,000

This appropriation funds grants to nonprofit and faith-based organizations at the local level to supplement their programs for emergency food and shelter to provide for the immediate needs of the homeless.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$100,000,000 for Emergency Food and Shelter Program [EFSP], which is the same amount as requested and \$20,000,000 below the amount provided in fiscal year 2016. The Committee recognizes the EFSP is one program, in conjunction with other Federal programs, which serves those in immediate need of food and shelter assistance.

The Committee remains wholly supportive of the mission and priorities of ESFP, but remains concerned that funding is not fully

maximized through FEMA administration of the funds and would be better placed in an agency with subject matter expertise. Therefore, language is again included directing the transfer of ESFP to the Department of Housing and Urban Development [HUD]. The Committee emphasizes that this program is not duplicative of other HUD programs, and therefore shall retain its original purpose and not be combined with other HUD programs.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

Appropriations, 2016	\$119,671,000
Budget estimate, 2017	129,139,000
Committee recommendation	119,139,000

United States Citizenship and Immigration Services [USCIS] funds expenses 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 (Public Law 108-447).

H-1B Nonimmigrant Petitioner Fees.—USCIS collects fees from petitioners using the H-1B program (Public Law 108-447).

COMMITTEE RECOMMENDATIONS

The Committee recommends direct appropriations of \$119,139,000 and notes estimated fee collections of \$3,505,710,000 for total resources of \$3,624,849,000.

The following table summarizes the Committee's recommendations for appropriations as compared to the fiscal year 2016 and budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Appropriations:			
E-Verify	119,671	119,139	119,139
Immigrant integration programs		10,000	
Total Appropriations	119,671	129,139	119,139

E-VERIFY

The Committee recommends \$119,139,000 for the E-Verify program. This is the same as the amount requested and \$532,000 below the amount provided in fiscal year 2016. The Committee is supportive of the Department's efforts to improve E-Verify's ability to automatically verify those who are work authorized, detect identity fraud, and detect system misuse and discrimination. E-Verify is both a tool for employers committed to maintaining a legal workforce and a deterrent to illegal immigration.

The growth in E-Verify use by employers has significantly increased from fewer than 25,000 employers in fiscal year 2007 to more than 652,561 as of April 2016, with an average of more than 1,300 new employers enrolling per week. E-Verify processed 31,000,000 cases in fiscal year 2014, a more than seven-fold increase from the 4,000,000 cases processed in fiscal year 2007. So far in fiscal year 2016, E-Verify processed more than 18,000,000 cases. The Committee directs USCIS to include on its Web site statistics showing E-Verify use across the Nation. At a minimum, the Web site should include basic analytics and descriptive statistics functions, such as graphics and tables showing the number and percentage of employers in each State using E-Verify, the adoption rates by industry, and the number of cases processed each year.

H-2B

The Committee remains concerned over the management of the H-2B visa program, particularly the allocation of visas within the annual caps. The Committee directs USCIS to use the findings of the study required in Senate Report 144-168 to make systematic improvements to ensure the number of individuals admitted to, or present in, the United States in H-2B status is more closely aligned with the statutory numerical limitation. To increase transparency, USCIS shall make publically available on the DHS Web site—(1) 5 years of historical data of H-2B nonimmigrant petitions received and approved and the number of visas for H-2B nonimmigrants that were not subject to the statutory cap; (2) the annual target number of beneficiaries to be issued visas as H-2B nonimmigrants for the fiscal year; (3) the number of petitions for H-2B nonimmigrants approved by the Department in each half of the fiscal year, including the aggregated number of beneficiaries contained in the approved petitions; (4) the number of petitions pending approval or denial by the Secretary; (5) the number of visas that are not exempt from the statutory cap issued by the Secretary of State; and (6) disclosure of the methodology and raw data used to determine when the statutory cap has been reached, including notification whenever the methodology to make this determination changes at any time during the fiscal year.

FRAUD DETECTION AND NATIONAL SECURITY COMPLIANCE REVIEWS

The Committee is disappointed that USCIS has not provided the H-1B and L reports required in Senate Report 144-168, especially as one of the reporting requirements was simply to describe enforcement goals and the action plan for compliance visits. The Committee directs USCIS to continue reporting on compliance, as described in Senate Report 144-168, on an annual basis.

The Committee understands that USCIS is continuing to evaluate tools to analyze relevant social media in vetting for certain types of benefits and believes that it is important for USCIS to analyze and consider the social media activity, and other publicly-available information, of those seeking visas to enter the United States. It is crucial that USCIS efficiently and effectively examine a broad number of social media sites on both the conventional internet and the dark Web, especially those sites hosted overseas,

where most of the postings are in languages other than English. In addition, USCIS must maintain persistent access to these sources throughout and beyond the adjudication process. As USCIS continues to grant visas to individuals without social media vetting, the Committee directs USCIS to establish a program of record for social media vetting for the highest risk visa applicants within 60 days of the date of enactment of this act.

PROCESSING DELAYS

The Committee is concerned about the prolonged delays at USCIS processing centers across the country for all benefit types. The Committee appreciates that USCIS has posted on its Web site the average wait times for each benefit type by service center or field office, and directs that USCIS increase transparency by adding to the Web site a summary of the current average wait times by benefit type. The summary should include comparisons of current wait times to historical wait times over the last three fiscal years. The Committee further directs USCIS to provide quarterly briefings for the Committee on the specific actions the agency is taking to reduce the backlog of applications, while ensuring that all applicants are properly reviewed for security purposes.

The Committee encourages USCIS to consider adding a question related to the National Park System to the civics test administered during the naturalization process during the next regularly scheduled review of the examination.

INTEGRITY OF ADMISSIONS PROGRAMS

Ensuring the integrity of the refugee and asylum admissions programs is critical, particularly as the volume of applications for both benefits continues to rise. The Committee directs USCIS to, within 120 days of the date of enactment of this act, submit a report that identifies: (1) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner; (2) the total number of children of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner; (3) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently arrested or convicted for any criminal offense in the United States; (4) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who subsequently adjusted to lawful permanent resident status with a waiver granted under section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1109(c)); and (5) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently removed from the United States for any reason. In addition, the Committee directs USCIS to brief the Committee within 120 days of the date of enactment of this act on the costs of administering the refugee and asylee admissions programs.

EMPLOYMENT AUTHORIZATION DOCUMENTS

The Committee directs USCIS to report on the number of employment authorization documents [EADs] issued annually from fiscal year 2012 through fiscal year 2015, including the validity period of those EADs broken down by any associated benefit type, and on the policies governing the validity period of the EADs.

TEMPORARY PROTECTED STATUS

The Committee directs USCIS to report on the number of individuals receiving benefits under temporary protected status [TPS] annually from fiscal year 2012 through fiscal year 2015, the cost of providing the benefits granted to those individuals, as well as the validity period of benefits provided, and on the policies governing TPS determinations. In addition, the Committee directs USCIS to brief the Committee within 120 days of the date of enactment of this act on the estimates of the costs of administering the TPS programs.

FEE WAIVERS

The Committee is concerned about the increased use of fee waivers, as those paying fees are forced to absorb costs for which they receive no benefit. In addition, those unable to pay USCIS fees are less likely to live in the United States independent of government assistance. The Committee directs USCIS to report on the policies and provide data on the use of fee waivers during the last four fiscal years within 90 days of the date of enactment of this act.

IMMIGRATION DATA

The Committee directs USCIS to work with the DHS Office of Immigration Statistics and the DHS OCIO to provide all necessary technical and policy assistance necessary to improve the collection, sharing, and reporting of immigration data throughout the immigration lifecycle.

PROGRAM COSTS

The U.S. Refugee Admissions Program [USRAP] is a partnership among USCIS, State's Bureau of Population, Refugees and Migration [PRM], and the Office of Refugee Resettlement [ORR] within the Department of Health and Human Services and involves a number of supporting international and domestic agencies and organizations. The Committee directs USCIS, in conjunction with PRM and ORR, to report to the Congress on the direct costs associated with USRAP broken down by agency and activity for each of fiscal years 2013, 2014, 2015, and 2016. Such report shall also include the corresponding data on refugee applicants in process during those years for context regarding the cost per refugee. Such report shall be submitted not later than 180 days after the date of enactment of this act.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

Appropriations, 2016	\$217,485,000
Budget estimate, 2017	214,965,000
Committee recommendation	214,965,000

The Federal Law Enforcement Training Center [FLETC] Salaries and Expenses appropriation provides funds for basic and some advanced training to Federal law enforcement personnel from more than 90 agencies. This account also allows for research of new training methodologies; provides for training delivered to certain State, local, and foreign law enforcement personnel on a space-available basis; and supports accreditation of Federal law enforcement training programs.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$214,965,000 for Salaries and Expenses, the same amount as requested and \$2,520,000 below the amount provided in fiscal year 2016. Within the funds recommended is \$1,325,000 for the Federal Law Enforcement Training Accreditation Board. The Committee recognizes FLETC's senior leadership retirements and the staff turnover that diminishes the instructional workforce. The Committee encourages FLETC to continue pursuing timely hiring campaigns, and supports its request for direct hire authority, to help stem the effect of attrition and to attract the most capable and proficient workforce possible.

The Committee is pleased with FLETC's progress to maximize its campuses' efficiencies and to adopt a metrics-based, facility management strategy. The Committee recognizes that FLETC is uniquely situated, as the United States' largest law enforcement training organization, to capture output data and measure them against resources consumed. The Committee expects that the Director maintain training at or near facility capacities and directs the agency to demonstrate in its annual budget submissions how facility use data helps leadership make evidence-based resource decisions that right-size the mixture of advanced and basic training for maximum output. FLETC is directed to brief the Committee no later than 90 days after the date of enactment of this act on the facility utilization measures it has installed to evaluate facility performance. FLETC is further directed to continue briefing the Committee quarterly on its obligation plans, as outlined in the explanatory statement accompanying Public Law 114-4 and in title I of this report. Included in this brief shall be a review of FLETC's hiring campaigns and attrition levels.

The Committee supports FLETC's ongoing work to evaluate active shooter response technology including its applications across the homeland security enterprise. The Committee is also aware of work being conducted by S&T's Counter Terrorism Technology Evaluation Center [CTTECP]. The Committee directs FLETC and CTTECP to coordinate testing and evaluation of this important technology, including, but not limited to, an assessment of how active shooter response technologies can be integrated into Federal, State and local training programs.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED
EXPENSES

Appropriations, 2016	\$27,553,000
Budget estimate, 2017	27,553,000
Committee recommendation	27,553,000

This account provides for acquisition and related costs for expansion and maintenance of facilities of FLETC. This includes construction and maintenance of facilities and environmental compliance. The environmental compliance funds ensure compliance with Environmental Protection Agency and State environmental laws and regulations.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$27,553,000 for Acquisition, Construction, Improvements, and Related Expenses, the same as requested, and the same as provided in fiscal year 2016. Included are funds to begin needed dormitory renovations at two campuses, design work to expand multiple training academy facilities, and necessary minor construction and maintenance projects detailed in FLETC's 2015 update to the 2010 Master Comprehensive Plan.

SCIENCE AND TECHNOLOGY

SUMMARY

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 Federal, State, local, and tribal end-users.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2016	\$131,531,000
Budget estimate, 2017	127,903,000
Committee recommendation	127,903,000

The Management and Administration account funds salaries and expenses related to the Office of the Under Secretary for S&T and headquarters.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$127,903,000 for Management and Administration of programs and activities carried out by S&T. This is the same as the amount requested and \$3,628,000 below the amount provided in fiscal year 2016. Of this amount, the Committee recommends not to exceed \$7,650 for official reception and representation expenses.

The Committee continues to support innovative ways to reduce costs at S&T, including the Travel, Operations, Policy, and Support office, which is expected to reduce administrative costs allowing additional funds to be focused on the Directorate's R&D mission.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

Appropriations, 2016	\$655,407,000
Budget estimate, 2017	630,840,000
Committee recommendation	661,814,000

S&T supports the mission of DHS through basic and applied research, fabrication of prototypes, and R&D to mitigate the effects of weapons of mass destruction, as well as acquiring and field testing equipment.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$661,814,000 for Research, Development, Acquisition, and Operations of S&T. This is \$30,974,000 above the amount requested and \$6,407,000 above the amount provided in fiscal year 2016. The recommended level in this account reflects funds that were requested for a new CBRNE Office that is not yet authorized by the Congress.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Research, Development, and Innovation	434,850	417,420	438,979
Laboratory Facilities	133,731	133,942	133,942

SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS—
Continued

[In thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Acquisition and Operations Support	47,102	48,393	48,393
University Programs	39,724	31,085	40,500
Total, Research, Development, Acquisition and Operations	655,407	630,840	661,814

RESEARCH AND DEVELOPMENT FLEXIBILITY

The Committee continues flexibility by maintaining one PPA for R&D. This structure avoids unnecessary limitation of funds where projects may cross thrust areas. This is particularly important as R&D funding must be as nimble as possible and allow for research on emerging threats and areas of interest. S&T shall submit a spend plan to the Committee and the Senate Committee on Homeland Security and Governmental Affairs [HSGAC] not later than 60 days after the date of enactment of this act on how it intends to utilize these funds towards existing areas of R&D. The Committee also directs S&T to develop a plan to incorporate external peer review into its processes for awarding new research and development contracts. The Directorate shall brief the Committee and HSGAC, within 180 days of the date of enactment of this act.

APEX R&D

The Committee continues its support of Apex R&D, including both the specific Apex projects and the cross-cutting Apex Engines. Developed to tackle some of the most pressing challenges faced by the Department and first responder communities, the Apex programs include some of S&T's "Visionary Goals" such as Screening at Speed, which seeks to respond to threats while similarly reducing inconvenience to passengers, as well as the Next Generation First Responder program which will ensure first responders are fully aware and protected from threats they encounter. Underpinning these projects, are the Apex Engines. Common focus areas—such as data analytics—are now home to a group of Subject Matter Experts who can be drawn upon as a resource for each project instead of organically growing these capabilities and stove piping those resources in each, individual Apex project.

S&T is directed to brief the Committee not later than 30 days after the date of enactment of this act on the funding allocation by project and progress made to field improved technologies from the Apex environment. S&T should also be cautious that its R&D does not supplant work performed by the private sector.

BIOSURVEILLANCE SYSTEMS

In October 2015, the bipartisan Blue Ribbon Study Panel on Bio-defense noted, among numerous other recommendations, that "surveillance and detection are the means by which we achieve the earliest possible situational awareness for biological events." The current BioWatch technology is inadequate to meet the Nation's needs.

It takes days in most locations to get results, and the number of false-positives leads to a lack of trust by local officials that data is actionable. Several years ago, an effort to enhance BioWatch technology was abandoned and little effort has been applied since to meet the mission need and threat. Yet, capabilities exist to dramatically enhance detection. For example, the Joint Program Executive Office for Chemical and Biological Defense [JPEO-CBD] at DOD is working on biological identification systems and DHS has been looking at this for some time.

For that reason, an additional \$12,000,000 is provided to accelerate biosurveillance work underway at S&T. This funding will: finalize a National Environmental Biothreat Detection Architecture plan for investment in biosurveillance R&D; continue development of autonomous field screening technologies that provide real-time screening for biological threats; and continue research into technologies and analysis methods that help confirm potential threats allowing for certainty and faster decisions in the public health sector. S&T shall brief the Committee on the plans for this funding at its first quarterly obligation plan briefing.

UNMANNED AERIAL SYSTEMS

The Committee is aware that S&T is planning to participate in the Federal Aviation Administration's Center of Excellence for UAS, with a particular focus on maritime UAS systems and sensor studies. As such, the Committee directs S&T to formalize this partnership with the Center of Excellence and notify the Committee when any project timelines are developed for these critical activities.

The Committee also directs the Department to fully utilize all capabilities, to include collaborations with research universities, in order to ensure the protection of our Nation's borders and provide support for research endeavors for present and future counter UAS activities, equipment, policies, procedures, and training, in cooperation with facilities with a history of UAS operations, research, education and training.

INNOVATIVE FUNDING PARTNERSHIPS

The Committee continues to be interested in S&T's use of innovative and unique relationships to help secure technologies critical to the homeland security enterprise. The Committee expects the results of S&T's utilization of prize authority to be submitted as part of the fiscal year 2018 budget justification.

RESILIENT AND SECURE ELECTRIC GRID

The Committee recognizes the importance of strengthening the resilience and security of our Nation's critical infrastructure such as the electrical grid against both physical and cyber threats, as these concerns will have a significant impact on national security, economic vitality, and community resilience. In order to address this challenge, the Committee encourages S&T, in collaboration with NPPD, to establish infrastructure resilience research and development initiatives to minimize the risks of cascading effects. This should also entail accelerating response and recovery efforts

specific to critical infrastructure. These initiatives should involve collaborations among S&T, NPPD, private sector infrastructure owners, Federal R&D organizations, and academic institutions.

The Committee notes that the health and resiliency of the electric grid is of vital importance to our Nation. Our aging grid faces increasing threats of extreme weather and terrorism, requiring new and affordable technology solutions to increase resiliency. The Committee recognizes the important advances of the Resilient Electric Grid [REG] Program established in 2007, including the development of technology that doubles grid reliability in the United States. The Committee also recognizes that the feasibility study for installing this advanced technology will be complete in May 2017 and therefore directs S&T to provide an update on the outcome of the study no later than 30 days after its completion. In the event of a favorable outcome from the feasibility study, the Committee encourages S&T to continue development of the REG in partnership with the relevant utility companies.

BORDER SECURITY

The Committee is concerned that money invested in tunnel detection efforts is not progressing appropriately, and that stakeholders—CBP and ICE—are not being engaged to the level that is expected. The Committee supports efforts to more thoroughly explore such solutions, but \$11,969,000 has been invested since fiscal year 2013 with little to show. The Committee acknowledges that S&T would not be asked to tackle a problem if it were easy, but the progress on this particular project raises serious questions. S&T, in conjunction with CBP and ICE, is directed to brief the Committee on the status of the prototype tunnel detection system not later than 30 days after the date of enactment of this act.

The Committee directs the Department to prioritize collaborations with qualified research universities in order to provide the needed support to develop the best approaches on critical border Security research topics to enhance the protection of our nation's land and maritime borders.

LABORATORY FACILITIES

The Committee recommendation includes \$133,942,000 for Laboratory Facilities, as requested, \$211,000 above the fiscal year 2016. This funding supports a network of five laboratories, and one that is under construction—the National Bio and Agro-Defense Facility [NBAF].

NBAF will serve as the Nation's primary research facility to counter foreign animal diseases and will enable the phase out of the Plum Island Animal Disease Center [PIADC]. As such, it is critical to develop a robust plan that ensures a qualified workforce, assesses the transition of existing R&D efforts, and considers any new capabilities that may be necessary for future operations at NBAF. While DHS is responsible for the PIADC facilities, the R&D activities continue to be managed by the United States Department of Agriculture [USDA]. Similarly, while DHS is responsible for building NBAF, the Committee understands that virtually all of the R&D activities will be under USDA auspices. Therefore, the Committee encourages DHS and USDA to work together on a plan

for the future operation of NBAF, including consideration of the appropriate agency to manage the facility.

ACQUISITION AND OPERATIONS SUPPORT

The Committee recommendation includes \$48,393,000 for Acquisition and Operations Support, as requested, which is \$1,291,000 above the amount requested in fiscal year 2016. The Committee expects S&T to develop performance metrics with which to track the success of any technologies transitioned to the private sector for commercialization.

UNIVERSITY PROGRAMS

The Committee recommendation includes \$40,500,000 for University Programs, \$9,415,000 above the amount requested and \$776,000 above fiscal year 2016. University Programs supports critical homeland security-related research and education at U.S. colleges and universities to address high-priority DHS-related issues and to enhance homeland security capabilities over the long term. The increase above the request is for the University Centers of Excellence program and will allow S&T to maintain at least 10 Centers of Excellence.

The Committee encourages DHS, when making determinations about how to more effectively allocate resources for academic centers of excellence, to consider competitively establishing centers that focus on cybersecurity research and education as well as on modeling, simulation, and training.

DOMESTIC NUCLEAR DETECTION OFFICE

SUMMARY

DNDO is responsible for development of technologies to detect and report attempts to import, possess, store, develop, or transport nuclear and radiological material.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$348,022,000 for activities of DNDO for fiscal year 2017. This is \$6,262,000 below the amount requested and \$902,000 above the amount provided in fiscal year 2016.

The recommended level in this account reflects funds that were requested for a new CBRNE Office that is not yet authorized by the Congress. The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

DOMESTIC NUCLEAR DETECTION OFFICE

[In thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request	Committee recommendations
Management and Administration	38,109		42,222
Research, Development, and Operations	196,000		185,136
Systems Acquisition	113,011		120,664
Total, Domestic Nuclear Detection Office	347,120		348,022

* The budget request proposes to fund DNDO in a new CBRNE office at \$354,284,000.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2016	\$38,109,000
Budget estimate, 2017	
Committee recommendation	42,222,000

The Management and Administration account funds salaries, benefits, and expenses for DNDO.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$42,222,000 for Management and Administration of programs and activities carried out by DNDO. This is \$1,144,000 below the amount requested in the CBRNE Office and \$4,113,000 above the amount provided in fiscal year 2016. The reduction from the budget request reflects current vacancies within the office and delays in hiring positions newly funded in 2016. Of this amount, the Committee recommends not to exceed \$2,250 for official reception and representation expenses.

WORKFORCE SURVEY AND LEADERSHIP

The Committee is pleased with DNDO's consecutive workforce survey results and cites the agency's exemplary leadership and management as a driving factor behind its reputation. The Committee encourages DNDO to continue the practices which earned it the ranking of "Best Place to Work within DHS" and supports other components' learning from DNDO practices.

STRATEGIC PLAN OF INVESTMENTS

In lieu of providing a report updating the Department's strategic plan of investments, the Director shall continue briefing the Committee annually on DNDO's efforts to carry-out the Department's responsibilities under the domestic component of the Global Nuclear Detection Architecture [GNDA]. The briefing shall identify:

- the various elements of the domestic architecture and the roles and responsibilities of each departmental entity;
- investments being made in fiscal year 2017 and planned for 2018 to secure pathways (sea, land, and air) into the United States;
- investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and
- how R&D funding is furthering the implementation of the domestic architecture.

The briefing shall also include a discussion of DNDO's surge capabilities and ability to respond to suspected radiological threats in concert with Federal, State, and local officials.

RESEARCH, DEVELOPMENT, AND OPERATIONS

Appropriations, 2016	\$196,000,000
Budget estimate, 2017	
Committee recommendation	185,136,000

The Research, Development and Operations account funds the development of nuclear detection systems and the integration and advancement of national nuclear forensics capabilities.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$185,136,000 for Research, Development and Operations. This is the same amount as requested in the CBRNE Office and \$10,864,000 below the amount provided in fiscal year 2016.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

RESEARCH, DEVELOPMENT, AND OPERATIONS

[In thousands of dollars]

	Fiscal year 2016 enacted	Fiscal year 2017 budget request ¹	Committee recommendations
Systems Engineering and Architecture	17,000		15,872
Systems Development	22,000		20,253
Transformational Research and Development	68,000		63,582
Assessments	38,000		36,648
Operations Support	31,000		29,492
National Technical Nuclear Forensics Center	20,000		19,289
Total, Research, Development, and Operations	196,000		185,136

¹ The budget request proposes to fund DNDO Research, Development, and Operations in a new CBRNE office at \$185,136,000.

SEMIANNUAL BRIEFINGS

DNDO shall continue semiannual program briefings and provide periodic updates on any new threats, research, studies, and assessments related to the GNDA. Semiannual program briefings shall

also cover emergent technology solutions being explored by DNDO. One of these semiannual briefings may be combined with the more comprehensive annual brief on the strategic plan of investments, directed earlier in this section.

SEMICONDUCTOR AND SCINTILLATOR MATERIALS

The Committee recognizes the importance of radiation detection technology in emergency response to enhance mission performance and save lives. The Committee understands that the development and deployment of highly efficient radiation detectors is necessary to adequately support proper identification and interdiction of radiological and nuclear threats. Therefore, the Committee recommends funding be continued for research and development of new generation semiconductor or scintillator materials.

SYSTEMS ACQUISITION

Appropriations, 2016	\$113,011,000
Budget estimate, 2017	
Committee recommendation	120,664,000

The Systems Acquisition account funds the acquisition of equipment for frontline users across the Department.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$120,664,000 for Systems Acquisition. This is \$5,118,000 below the amount requested in the CBRNE Office and \$7,653,000 above the amount provided in fiscal year 2016.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2016 and budget request levels:

SYSTEMS ACQUISITION

(In thousands of dollars)

	Fiscal year 2016 enacted	Fiscal year 2017 budget request ¹	Committee recommendations
Securing the Cities	22,000		22,000
Radiological and Nuclear Detection Equipment Acquisition	91,011		98,664
Total, Systems Acquisition	113,011		120,664

¹ The budget request proposes to fund DNDO Systems Acquisition in a new CBRNE office at \$125,782,000.

RADIOLOGICAL AND NUCLEAR DETECTION EQUIPMENT ACQUISITION

The Committee recommendation includes \$120,664,000 for systems recapitalization and to optimize and refresh radiation portal monitors for improved sensing and detection. This recommendation assumes DNDO will allocate \$5,196,364 in available carryover funds to meet the fiscal year 2017 requirements for human portable radiation detection systems. The Committee understands that recapitalization will eventually provide Department-wide savings by replacing costly, maintenance-intensive equipment with modernized handheld radiation isotope identifier device systems with greater capability and lower annual costs.

SECURING THE CITIES

The Committee recommendation includes \$22,000,000 for Securing the Cities, \$289,000 more than the amount requested.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

Section 501. The bill includes a provision 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 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 requires 15-day advance notification for the reprogramming and transfer of funds; limits authority to reprogram funds within an appropriations account; and provides authority to transfer up to five percent out of appropriations accounts. In order to give the Department flexibility in addressing emerging threats and challenges, language from prior years limiting the amount of funds that could be transferred into an appropriation is not included.

For purposes of reprogramming notifications, “program, project, or activity” is defined as an amount identified in the detailed funding table located at the end of this statement or an amount directed for a specific purpose in this statement. Also for purposes of reprogramming notifications, the creation of a new program, project, or activity is defined as any significant new activity that has not been explicitly justified to the Congress in budget justification material and for which funds have not been appropriated by the Congress. For further guidance when determining which movements of funds are subject to section 503, the Department is reminded to follow GAO’s definition of “program, project, or activity” as detailed in the GAO’s “A Glossary of Terms Used in the Federal Budget Process.” Within 30 days of the date of enactment of this act, the Department shall submit to the Committees on Appropriations a table delineating PPAs subject to section 503 notification requirements, as defined in this paragraph.

These reprogramming guidelines shall be complied with by all agencies funded by this act. The Department shall submit reprogramming requests on a timely basis and 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 Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity levels to the funding and staffing (full-time equivalent position) levels for the current fiscal year and to the levels requested in the President’s budget for the following fiscal year.

The Department shall manage its programs, projects, and activities within the levels appropriated. The Department should only submit reprogramming or transfer requests in the case of an unforeseeable emergency or 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 Committees on Appropriations 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 not approved.

Unless an initial notification has already been provided, the Department is not to submit a reprogramming or transfer request after June 30 except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property. If a reprogramming or transfer is needed after June 30, the submittal should contain sufficient documentation as to why it meets this statutory exception.

Section 504. The bill includes a provision relating to the Department's Working Capital Fund [WCF] that: extends the authority of the Department's WCF in fiscal year 2017; 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 President's fiscal year 2017 budget; 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 which will return the full cost of each service. The WCF table included in the Department's congressional justification accompanying the President's fiscal year 2017 budget 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 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 2017 shall remain available through fiscal year 2018, subject to reprogramming.

Section 506. The bill includes a provision providing that funds for intelligence activities are specifically authorized during fiscal year 2017 until the enactment of an act authorizing intelligence activities for fiscal year 2017.

Section 507. The bill includes a provision requiring notification to the Committees 3 business days before any grant allocation, grant award, contract award (including Federal Acquisition Regulation-covered contracts), other transaction agreement, a task or delivery order on a DHS multiple award contract, letter of intent, or public announcement of the intention to make such an award totaling in excess of \$1,000,000. If the Secretary determines that compliance would pose substantial risk to health, human life, or safety, an award may be made without prior notification but the Committees shall be notified within 5 full business days after such award or letter is issued. Additionally, FEMA is required to brief the Committees 5 full business days prior to announcing publicly the intention to make an award under State and Local Programs. The 3-day notification also pertains to task or delivery order awards greater than \$10,000,000 from multiyear DHS funds as well as for any sole-source grant awards.

Section 508. The bill includes a provision that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without the advance approval of the Committees on Appropriations.

Section 509. The bill includes a provision that none of the funds 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 that none of the funds may be used in contravention of the Buy American Act.

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

Section 513. The bill includes 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 514. The bill includes a provision regarding competitive sourcing for USCIS.

Section 515. The bill includes a provision classifying the functions of instructor staff at FLETC as inherently governmental for purposes of the Federal Activities Inventory Reform Act of 1998.

Section 516. The bill includes a provision requiring the Secretary to submit a report to OIG listing all grants or contracts awarded by any means other than full and open competition for fiscal years 2017 and 2018. OIG is required to review the report to assess departmental compliance with applicable laws and regulations and report the results to the Committees on Appropriations no later than February 15, 2019.

Section 517. The bill includes a provision that precludes DHS from using funds in this act to carry-out reorganization authority. This prohibition is not intended to prevent the Department from making routine or small reallocations of personnel or functions within components, subject to section 503 of this act. This language prevents large-scale reorganization of the Department, which should be acted on legislatively by the relevant congressional committees of jurisdiction. While the Department has developed plans for a large-scale reorganization of NPPD, such reorganization has not yet been authorized by the Congress and would be precluded by this language. The Department may propose minor changes under section 503 of this act to the Committees on Appropriations.

Section 518. The bill includes a provision that prohibits the creation of a proposed Chemical, Biological, Radiological, Nuclear, and Explosives Office without explicit authorization by the Congress, and facilitates funding realignments related to the creation of the office if so authorized.

Section 519. The bill includes a provision prohibiting funding to grant an immigration benefit to any individual unless the results

of background checks required by statute to be completed prior to the grant of a benefit have been received by DHS.

Section 520. The bill includes a provision extending other transactional authority for DHS through fiscal year 2017.

Section 521. The bill includes a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 522. The bill includes a provision regarding waivers of the Jones Act.

Section 523. The bill includes a provision related to prescription drugs.

Section 524. The bill includes a provision prohibiting funds from being used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff.

Section 525. The bill includes a provision requiring the Secretary, in conjunction with the Secretary of the Treasury, to notify the Committees on proposed transfers of surplus balances from the Department of the Treasury Forfeiture Fund to any agency within DHS.

Section 526. The bill includes a provision prohibiting funds from being used to plan, test, pilot, or develop a national identification card.

Section 527. The bill includes a provision prohibiting funds to be used to conduct or implement the results of a competition under Office of Management and Budget Circular A-76 with respect to the Coast Guard National Vessel Documentation Center.

Section 528. The bill includes a provision directing that any official required by this act to report or certify to the Committees on Appropriations may not delegate such authority unless expressly authorized to do so in this act.

Section 529. The bill includes a provision extending current law concerning individuals detained at the Naval Station, Guantanamo Bay, Cuba.

Section 530. The bill includes a provision prohibiting funds in this act to be used for first-class travel.

Section 531. The bill includes a provision prohibiting funds to be used to employ workers in contravention of section 274A(h)(3) of the Immigration and Nationality Act.

Section 532. The bill includes a provision prohibiting the Secretary from reducing operations within the Coast Guard's Civil Engineering Program except as specifically authorized by a statute enacted after the date of enactment of this act.

Section 533. 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 534. The bill includes language that requires the Secretary to ensure screening of passengers and crews for transportation and national security purposes are consistent with applicable laws, regulations, and guidance on privacy and civil liberties.

Section 535. The bill includes a provision allocating up to \$10,000,000 in Immigration Examination Fees for the purpose of providing immigrant integration grants in fiscal year 2017.

Section 536. The bill provides a total of \$225,532,000 for consolidation of a new DHS headquarters at St. Elizabeths and of mission support.

Section 537. The bill includes a provision prohibiting funds appropriated or otherwise made available by this act for DHS 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 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 538. The bill provides \$41,215,000 for financial system modernization and includes a provision allowing the Secretary to transfer funds made available by this act between appropriations for the same purpose after notifying the Committees 15 days in advance.

Section 539. The bill includes a provision providing some flexibility to the Department for financing a response to an immigration emergency.

Section 540. The bill includes language stating that the Secretary shall ensure enforcement of all immigration laws.

Section 541. The bill includes a provision regarding restrictions on electronic access to pornography, except for law enforcement purposes.

Section 542. 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 543. The bill includes a provision prohibiting funds for the position of Public Advocate or a successor position in ICE.

Section 544. The bill includes a provision related to CBP reimbursable service agreements.

Section 545. The bill includes a provision related to DHS and DOJ personnel in Canada in connection with their employment.

Section 546. The bill includes language regarding the number of employees permitted to attend international conferences.

Section 547. 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 548. The bill includes a provision prohibiting funds from this or any other act from being used to require airport operators to provide airport-financed staffing to monitor exit points from the sterile area of any airport at which TSA provided such monitoring as of December 1, 2013.

Section 549. The bill includes a provision clarifying that fees collected pursuant to the Colombia Free Trade Agreement are available until expended.

Section 550. 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 551. The bill includes a provision directing the Department to post on a public Web site reports required by the Committees on Appropriations unless public posting compromises homeland or national security or contains proprietary information.

Section 552. The bill includes a provision that prohibits the collection of new land border fees or the study of the imposition of such a border fee.

Section 553. The bill includes a provision that allows the costs of providing humanitarian relief to unaccompanied alien children and to alien adults and their minor children to be an eligible use for certain Homeland Security grants.

Section 554. The bill includes a provision related to user fee proposals that have not been enacted into law prior to submission of the budget.

Section 555. The bill includes a provision related to the Arms Trade Treaty.

Section 556. The bill includes a provision related to earthen levies.

Section 557. The bill includes a provision transferring funds from the Disaster Assistance Direct Loan Program to the Disaster Relief Fund.

Section 558. The bill includes a provision relating to the annual pay cap with respect to the Secret Service during an election year.

Section 559. The bill rescinds unobligated balances from prior year appropriations from accounts across the Department.

Section 560. The bill rescinds unobligated balances made available to the Department when it was created in 2003.

Section 561. The bill permanently rescinds \$100,000,000 from the unobligated balances in the Department of the Treasury Forfeiture Fund.

Section 562. The bill rescinds unobligated balances of prior year appropriations in the Disaster Relief Fund for non-major disaster programs due to the significant balances carried over from prior years and amounts recovered from previous disasters during project closeouts. The rescission of funds will have no impact on FEMA's ability to aid in recovery from past disasters or respond to future disasters.

PROGRAM, PROJECT, AND ACTIVITY

In fiscal year 2017, 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, 2017, 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 2017 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 2017 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 2017: Analysis and Operations.

U.S. Customs and Border Protection: Salaries and Expenses; Automation Modernization; and Air and Marine Operations.

U.S. Immigration and Customs Enforcement: Salaries and Expenses.

Transportation Security Administration: Aviation Security; Surface Transportation Security; Transportation Threat Assessment and Credentialing; and Federal Air Marshals.

Coast Guard: Operating Expenses; Environmental Compliance and Restoration; Reserve Training; Acquisition, Construction, and Improvements; Research, Development, Test, and Evaluation; and Retired Pay.

National Protection and Programs Directorate: Infrastructure Protection and Information Security.

Federal Emergency Management Agency: Salaries and Expenses; State and Local Programs; Emergency Management Performance Grants; National Predisaster Mitigation Fund, and Emergency Food and Shelter.

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on May 00, 2016, the Committee ordered favorably reported an original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes, provided, that the bill be subject to amendment and that the bill be consistent with its budget allocation, by a recorded vote of 00-00, a quorum being present. The vote was as follows:

Yeas

Nays

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.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.
308(a), PUBLIC LAW 93-344, AS AMENDED

(In millions of dollars)

	Budget authority		Outlays	
	Committee allocation	Amount in bill	Committee allocation	Amount in bill
Comparison of amounts in the bill with the subcommittee allocation for 2017: Subcommittee on Homeland Security:				
Mandatory				1
Discretionary				1
Security			NA	NA
Nonsecurity			NA	NA
Overseas Contingency Operations/Global War on Terrorism				
Projections of outlays associated with the recommendation:				
2017				2
2018				
2019				
2020				
2021 and future years				
Financial assistance to State and local governments for 2017	NA		NA	

¹ Includes outlays from prior-year budget authority.² Excludes outlays from prior-year budget authority.

NA: Not applicable.

NOTE.—Consistent with the funding recommended in the bill for disaster funding and as an emergency requirement and in accordance with subparagraphs (D) and (A)(i) of section 251(b)(2) of the BBEDCA of 1985, the Committee anticipates that the Budget Committee will provide a revised 302(a) allocation for the Committee on Appropriations reflecting an upward adjustment of \$_____ in budget authority plus associated outlays.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2016 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2017
(In thousands of dollars)

Item	2016 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2016 appropriation	Budget estimate
DEPARTMENT OF HOMELAND SECURITY					
TITLE 4—DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary					

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May 24, 2016 (5:57 p.m.)