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Department of Homeland Security Appropriations: FY2014 Overview and Summary

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Committees of Congress

Summary

This report provides a brief outline of the FY2014 appropriations legislation for the Department of Homeland Security (DHS). The Administration requested $39.0 billion in adjusted net discretionary budget authority for DHS for FY2014, as part of an overall budget of $60.0 billion (including fees, trust funds, and other funding that is not appropriated or does not score against the budget caps).

Congress did not enact annual FY2014 appropriations legislation prior to the beginning of the new fiscal year. From October 1, 2013, through October 16, 2013, the federal government (including DHS) operated under an emergency shutdown furlough due to the expiration of annual appropriations for FY2014. More than 31,000 DHS employees were furloughed. Tens of thousands of others that were excepted from furlough, and those whose salaries were paid through annual appropriations, worked without pay until the lapse was resolved by passage of a short-term continuing resolution. From October 17, 2013, to January 17, 2014, the federal government operated under the terms of two consecutive continuing resolutions: P.L. 113-46, which lasted until its successor was enacted on January 15, 2014; and P.L. 113-73, which lasted until the Omnibus Appropriations Act, 2014 (P.L. 113-76), was enacted on January 17, 2014.

Division F of P.L. 113-76 is the Homeland Security Appropriations Act, 2014, which includes $39,270 million in adjusted net discretionary budget authority for DHS. This is $922 million more than DHS reportedly received in its annual appropriation for FY2013 after taking into account the impact of sequestration. The act also included an additional $5.6 billion requested by the Administration for FEMA in disaster relief funding as defined by the Budget Control Act, and an additional $227 million for the Coast Guard to pay the costs of overseas contingency operations. Those additional costs are compensated for by adjustments in the discretionary spending limits outlined through the Balanced Budget and Emergency Deficit Control Act as amended.

For a more detailed discussion of policy matters and legislative details beyond funding levels, see CRS Report R43147, *Department of Homeland Security: FY2014 Appropriations*, coordinated by William L. Painter.

This report will be updated as events warrant.

Contents

DHS Appropriations Overview and Context 1
Note on FY2013 and Sequestration 2
DHS Appropriations: Comparing the Components 2
DHS Appropriations Compared to the Total DHS Budget 5
DHS Appropriations Trends: Size 5
DHS Appropriations Trends: Timing 7
Major Developments 8
April 10, 2013—President's FY2014 Budget Request Submitted 8
June 6, 2013—House Passes H.R. 2217 8
July 18, 2013—Senate Appropriations Committee Reports H.R. 2217 8
October 1, 2013—Lapse in Appropriations 8
October 17, 2013—P.L. 113-46, Continuing Appropriations Act, 2014 Passed and Enacted 9
January 14-15, 2014—P.L. 113-76, Short-Term Continuing Resolution 9
January 17, 2014—President Signs the FY2014 Consolidated Appropriations Act 9
DHS Appropriations Funding Summary by Title 10
Title I: Departmental Management and Operations 10
Title II: Security, Enforcement, and Investigations 12
Title III: Protection, Preparedness, Response, and Recovery 15
Title IV: Research and Development, Training, and Services 17
Title V: General Provisions 19
Provisions That Directly Affect the Cost of the Bill 20

Figures

Figure 1. DHS Discretionary Appropriations by Component, FY2014 4
Figure 2. DHS Gross Budget Breakdown: FY2014 Request 5
Figure 3. DHS Appropriations Legislative Timing 7

Tables

Table 1. DHS Net Discretionary Appropriations by Title, FY2013-FY2014 1
Table 2. DHS Discretionary Appropriations by Component, FY2014 3
Table 3. DHS Appropriations, FY2004-FY2014 6
Table 4. Legislative Status of FY2014 Homeland Security Appropriations 8
Table 5. Title I: Departmental Management and Operations, FY2013-FY2014 11
Table 6. Title II: Security, Enforcement, and Investigations, FY2013-FY2014 12
Table 7. Title III: Protection, Preparedness, Response, and Recovery, FY2013-FY2014 15
Table 8. Title IV: Research and Development, Training, and Services, FY2013-FY2014 17

Contacts

Author Information..... 20

This report provides an overview of appropriations for the Department of Homeland Security (DHS). The first portion of this report provides an overview and historical context for reviewing DHS appropriations, highlighting various aspects including the comparative size of DHS components, the amount of non-appropriated funding the department receives, and trends in the timing and size of the department's appropriations legislation. The second portion of this report outlines the legislative chronology of major events in funding the department for FY2014. The third portion of this report provides detailed information on DHS appropriations.

DHS Appropriations Overview and Context

The DHS appropriations bill includes funding for all components and functions of the department. For FY2013, pre-sequester DHS discretionary appropriations were $46.2 billion, with $12.1 billion in supplemental appropriations (see **Table 1**). For FY2014, the total request was $44.7 billion. House-passed and Senate-reported DHS appropriations legislation had similar total funding levels, $44.6 billion and $44.7 billion, respectively. Totals represent net discretionary budget authority, taking into account impacts of rescissions, and include emergency spending and disaster relief. Analyses that include the impact of fees and mandatory spending are found later in this report.

Table 1. DHS Net Discretionary Appropriations by Title, FY2013-FY2014

(millions of dollars of discretionary budget authority, rounded)

	FY2013		FY2014			
Title	**Enacted (P.L. 113-6), pre-sequester**	**Supplemental (P.L. 113-2), pre-sequester**	**Request**	**House-passed H.R. 2217**	**Senate-reported H.R. 2217**	**Div. F, P.L. 113-76**
Title I: Departmental Management and Operations	$1,086	$0	$1,239	$893	$1,053	$1,037
Title II: Security, Enforcement and Investigations	31,524[a]	277	30,241	30,768	30,514[b]	31,104[b]
Title III: Protection, Preparedness, Response, and Recovery	12,320[c]	11,788	11,009[d]	11,544[d]	11,582[d]	11,578[d]
Title IV: Research and Development, Training, and Services	1,520	7	2,214	1,890	1,885	1,878
Title V: General Provisions	-203	0	-50	-475	-83	-474
Total	**46,248**	**12,072**	**44,654**	**44,618**	**44,953**	**45,123**

Source: CRS analysis of P.L. 113-6, its accompanying Senate explanatory statement, P.L. 113-2, the FY2014 DHS Congressional Budget Justifications, H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76 and its accompanying explanatory statement.

Notes: The standard legislative practice is to group rescissions with the bill's general provisions, often resulting in that title scoring as net negative budget authority. The budget request usually includes proposed rescissions in

the impacted component's budget request. The first FY2013 column reflects the impact of $307 million in rescissions, including two across-the-board cuts in P.L. 113-6, while the Administration proposed $42 million in rescissions for FY2014. For FY2014, the House Appropriations Committee recommended $460 million in rescissions, the Senate Appropriations Committee recommended $241 million, and Division F of P.L. 113-76 included $693 million. Amounts may not total due to rounding.

a. Includes $254 million in funding for overseas contingency operations that does not count against the discretionary budget caps.

b. Includes $227 million in funding for overseas contingency operations that does not count against the discretionary budget caps.

c. Includes $6,400 million in disaster relief funding that does not count against the discretionary budget caps.

d. Includes $5,626 million in disaster relief funding that does not count against the discretionary budget caps.

Note on FY2013 and Sequestration

Past CRS reports on DHS appropriations have carried detailed comparisons with previous years' funding levels.[1] However, due to the impact of sequestration on budget authority available to the federal government under P.L. 113-6 and the Disaster Relief Appropriations Act of 2013 (P.L. 113-2), official post-sequestration numbers are not available at the program, project, and activity level that would be directly comparable to the data provided in previous and future years' reports. While DHS released an FY2013 Post-Sequestration Operating Plan on April 26, 2013, that report did not include the funding provided through P.L. 113-2, and press reports have indicated that reprogramming and transfer activity took place to address the impact of the nearly across-the-board cut administered through the sequestration process on priority programs.[2]

As there is no detailed comprehensive statement of post-sequestration resources available, the charts in this report contain information on pre-sequester funding levels for FY2013. In all cases, the data from P.L. 113-6 account for the two across-the-board cuts included in the general provisions of the act.

DHS Appropriations: Comparing the Components

Breaking down the DHS bill by title provides limited transparency into how DHS's appropriated resources are being used. Thus, looking at funding by component can be more instructive. The components of DHS vary widely in the size of their appropriated budgets. The largest component is Customs and Border Protection (CBP), with an FY2014 request of $10,833 million and final appropriation of $10,420 million. **Table 2** and **Figure 1** show DHS's discretionary budget authority broken down by component, from largest to smallest.[3]

Table 2 presents the raw numbers, while **Figure 1** presents the same data in a graphic format, with additional information on the disaster relief adjustment to the allocation allowed under the Budget Control Act (P.L. 112-25).[4] For each set of appropriations shown in **Figure 1**, the left column shows discretionary budget authority provided through the legislation, while the right column shows that amount plus resources available under the adjustments. This comparison looks only at the new budget authority requested or provided—not budget authority rescinded to offset

[1] See, for example, CRS Report R41189, *Homeland Security Department: FY2011 Appropriations*.

[2] See, for example, Hicks, Josh, "How Much Money Did Customs and Border Protection Need to Avoid Furloughs," *Washington Post*, Federal Eye blog, June 21, as downloaded from http://www.washingtonpost.com/blogs/federal-eye/wp/2013/06/20/how-much-money-did-customs-and-border-protection-need-to-avoid-furloughs/, June 21, 2013.

[3] Components are arranged based on the size of their House-passed funding level.

[4] For the purposes of this report, funding provided under these adjustments is not treated as appropriations.

the cost of the bill—so the totals will differ from **Table 1**, which includes the impact of prior-year rescissions.

Table 2. DHS Discretionary Appropriations by Component, FY2014

(millions of dollars, rounded)

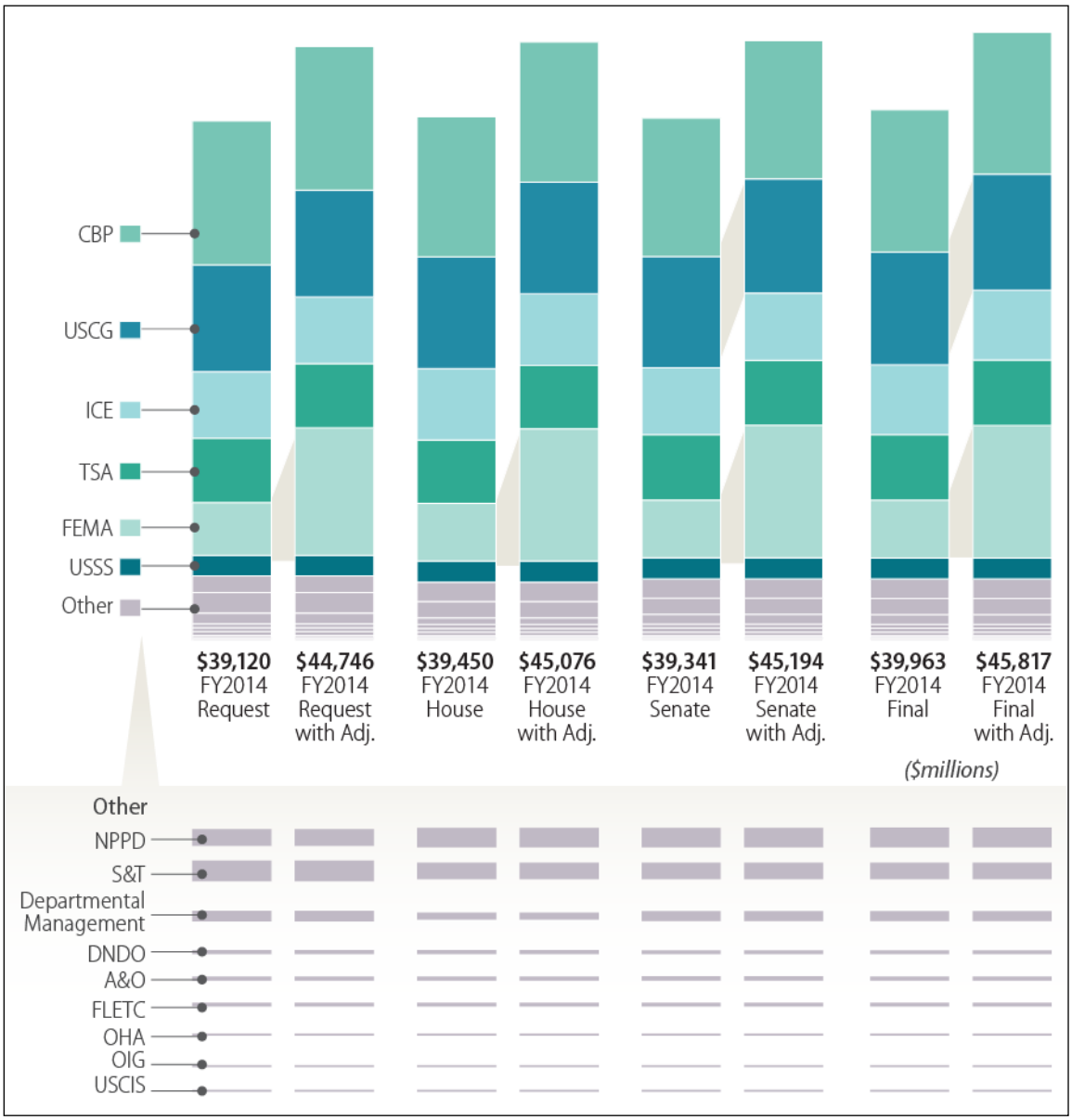
Component	FY2014 Request	FY2014 House-passed	FY2014 Senate-reported	Div. F, P.L. 113-76
Customs and Border Protection (CBP)	$10,833	$10,567	$10,420	$10,690
U.S. Coast Guard (USCG)	8,050	8,399	8,385	8,514
Immigration and Customs Enforcement (ICE)	4,997	5,384	5,054	5,269
Transportation Security Administration (TSA)	4,857	4,781	4,908	4,929
Federal Emergency Management Agency (FEMA)	3,984	4,345	4,353	4,354
U.S. Secret Service (USSS)	1,546	1,586	1,582	1,585
National Protection and Programs Directorate (NPPD)	1,267	1,459	1,474	1,471
Science & Technology Directorate (S&T)	1,527	1,225	1,218	1,220
Departmental Management	811	509	730	728
Analysis & Operations (A&O)	309	292	304	300
Domestic Nuclear Detection Office (DNDO)	291	291	289	285
Federal Law Enforcement Training Center (FLETC)	271	259	259	259
Office of Health Affairs (OHA)	132	123	128	127
U.S. Citizenship and Immigration Services (USCIS)	124	114	119	116
Office of the Inspector General (OIG)	119	114	117	115
Total	**$39,120**	**$39,450**	**$39,341**	**$39,963**

Source: H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76 and its accompanying explanatory statement.

Notes: Table does not include adjustments for disaster relief or overseas contingency operations under the Budget Control Act (P.L. 112-25), rescissions of prior-year funding, or reflect non-appropriated resources available to DHS components.

Figure 1. DHS Discretionary Appropriations by Component, FY2014

(millions of dollars, rounded)



Source: H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76 and its accompanying explanatory statement.

Notes: Totals may not add due to rounding. Figure does not display rescissions and other general provisions, or reflect non-appropriated resources available to DHS components.

CBP = Customs and Border Protection; USCG = U.S. Coast Guard; ICE = Immigration and Customs Enforcement; TSA = Transportation Security Administration; FEMA = Federal Emergency Management Agency; USSS = U.S. Secret Service; NPPD = National Protection and Programs Directorate; S&T = Science and Technology Directorate; DNDO = Domestic Nuclear Detection Office; A&O = Analysis and Operations; FLETC = Federal Law Enforcement Training Center; OHA = Office of Health Affairs; OIG = Office of the Inspector General; USCIS = U.S. Citizenship and Immigration Services; DBA = discretionary budget authority; Adj. = adjustments to the discretionary budget caps established by the Budget Control Act.

DHS Appropriations Compared to the Total DHS Budget

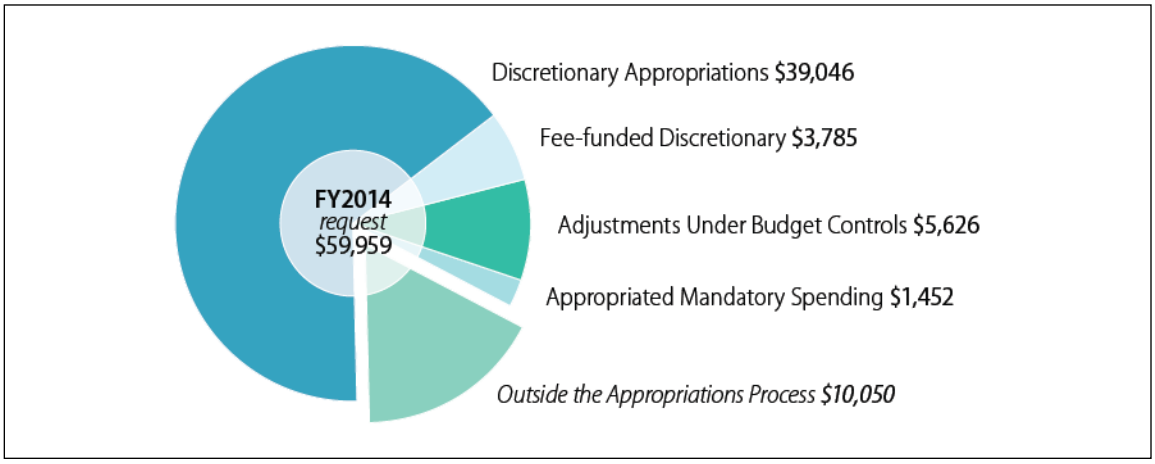
Figure 1, even with its accounting for discretionary cap adjustments, does not tell the whole story about the resources available to individual DHS components. Much of DHS's budget is not derived from discretionary appropriations. Some components, such as the Transportation Security Administration (TSA), rely on fee income or offsetting collections to support a substantial portion of their activities. U.S. Citizenship and Immigration Services (USCIS), for example, obtains less than 4% of its funding through direct appropriations—the bulk of the component's funding is derived from fee income.

Figure 2 highlights how much of the DHS budget is not funded through discretionary appropriations. It presents a breakdown of the FY2014 budget request, showing the proposed discretionary appropriations, mandatory appropriations, and adjustments under the Budget Control Act, in the context of the total amount of budgetary resources available to DHS, as well as other non-appropriated resources. For FY2014, 67% of the proposed DHS gross budget was funded through discretionary appropriations. The remainder of the proposed budget was funded through fees, mandatory appropriations, BCA adjustments, and other non-appropriated resources.

The amounts shown in this graph are derived from the Administration's budget request documents, and therefore do not exactly mirror the data presented in congressional documents, which are the source for the other data presented in the report, including **Table 2** and **Figure 1**.

Figure 2. DHS Gross Budget Breakdown: FY2014 Request

(millions of dollars in budget authority, rounded)



Source: DHS FY2014 Budget Request.

Notes: Budget numbers provided by OMB differ from congressional budget calculations due to a variety of factors, including recalculations of fee income, availability of prior-year rescissions, reprogrammings, transfers, and other factors. Totals may not add due to rounding.

DHS Appropriations Trends: Size

Table 3 presents DHS discretionary appropriations, as enacted, for FY2004 through FY2014. Generally speaking, annual appropriations for DHS rose from the establishment of the department, peaking in FY2010. However, the structural changes effected by the Budget Control Act that allowed disaster funding to be included in regular appropriations bills without being scored against the bill's allocation altered the downward trend as funding that might have been provided in a supplemental appropriations bill now was provided in the annual process. Without

the impact of disaster relief funding, the nominal level of annual appropriations for the department declined each year since the FY2010 peak, until increasing in FY2014. Supplemental funding, which frequently addressed congressional priorities such as disaster assistance and border security, varies widely from year to year and as a result distorts year-to-year comparisons of total appropriations for DHS.

Note the table includes two lines for FY2013. The first line for FY2013, in italics, describes pre-sequester resources provided to DHS. The second FY2013 line is derived from the post-sequester operating plan for the department, which examined only what was provided through the annual appropriations bill for DHS included in P.L. 113-6. CRS does not have post-sequester totals for what was provided in P.L. 113-2.

Table 3. DHS Appropriations, FY2004-FY2014

(billions of dollars of budget authority)

	Nominal Appropriations			GDP Price Index	Constant Dollar Appropriations		
	Regular	Supplemental	Total		Regular	Supplemental	Total
FY2004	$29.411	$7.418	$36.829	0.969	$30.368	$7.659	$38.027
FY2005	29.557	67.328	96.885	1.000	29.557	67.328	96.885
FY2006	30.995	8.195	39.190	1.034	29.976	7.926	37.901
FY2007	34.047	4.560	38.607	1.065	31.981	4.283	36.264
FY2008	37.809	0.897	38.706	1.089	34.709	0.823	35.533
FY2009	40.070	3.143	43.213	1.103	36.318	2.849	39.167
FY2010	42.817	5.571	48.388	1.115	38.418	4.999	43.417
FY2011	42.477	0	42.477	1.138	37.329	0.000	37.329
FY2012	40.062	6.400	46.462	1.159	34.572	5.523	40.095
FY2013	*46.247*	*12.072*	*58.319*	*1.183*	*39.093*	*10.205*	*49.298*
FY2013 post-sequester	44.971	n/a	n/a	1.183	38.014	n/a	n/a
FY2014	45.123	—	45.123	1.205	37.446	—	37.446

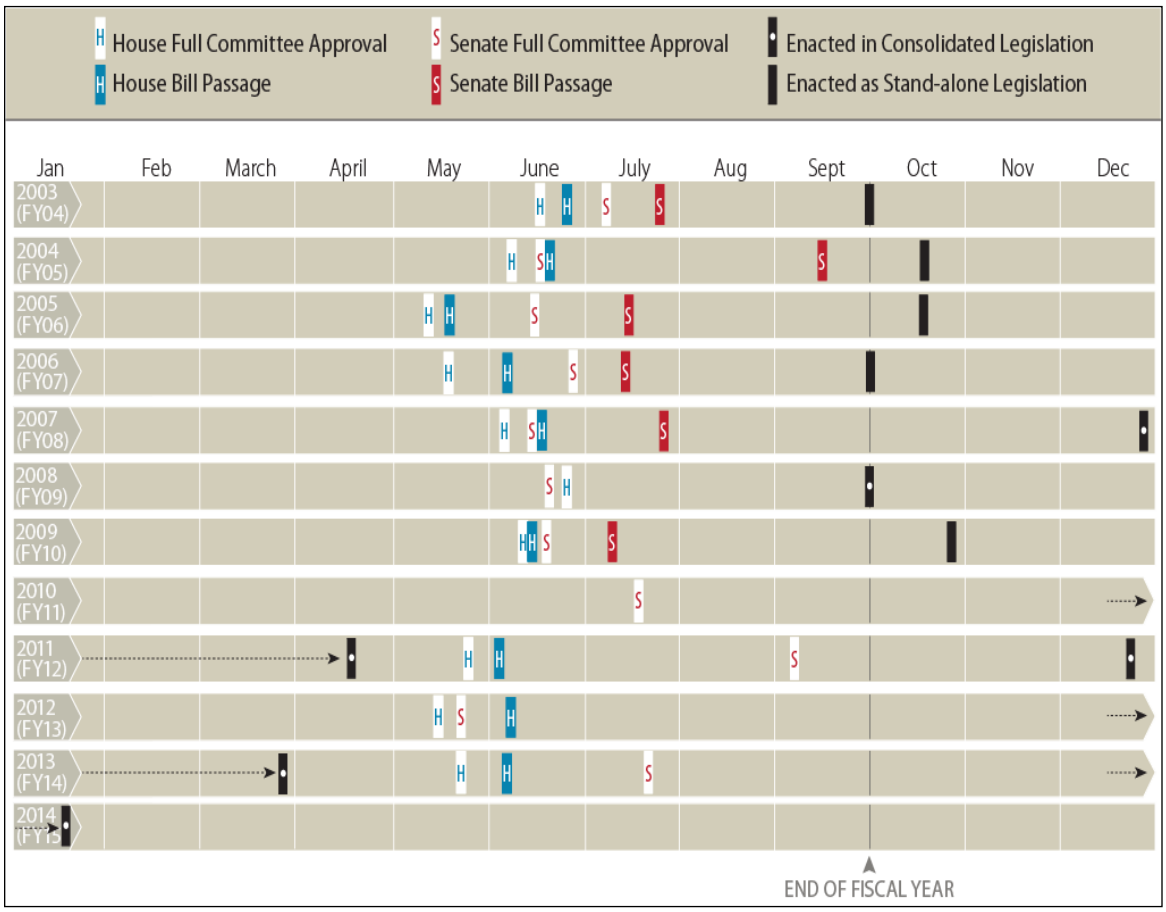
Source: CRS analysis of Congressional appropriations documents: for FY2004, H.Rept. 108-280 (accompanying P.L. 108-90), H.Rept. 108-76 (accompanying P.L. 108-11), P.L. 108-69, P.L. 108-106, and P.L. 108-303; for FY2005, H.Rept. 108-774 (accompanying P.L. 108-334), P.L. 108-324, P.L. 109-13, P.L. 109-61 and P.L. 109-62; for FY2006, H.Rept. 109-241 (accompanying P.L. 109-90), P.L. 109-148, and P.L. 109-234; for FY2007, H.Rept. 109-699 (accompanying P.L. 109-295) and P.L. 110-28; for FY2008, Division E of the House Appropriations Committee Print accompanying P.L. 110-161 and P.L. 110-252; for FY2009, Division D of House Appropriations Committee Print accompanying P.L. 110-329, P.L. 111-5, P.L. 111-8, and P.L. 111-32; for FY2010, H.Rept. 111-298 (accompanying P.L. 111-83) P.L. 111-212 and P.L. 111-230 for FY2010; for FY2011, P.L. 112-10 and H.Rept. 112-331 (accompanying P.L. 112-74); for FY2012, H.Rept. 112-331 (accompanying P.L. 112-74), and P.L. 112-77; and for FY2013, Senate explanatory statement accompanying P.L. 113-6, P.L. 113-2, and the DHS Fiscal Year 2013 Post-Sequestration Operating Plan dated April 26, 2013.

Notes: Emergency funding, appropriations for overseas contingency operations, and funding for disaster relief under the Budget Control Act's allowable adjustment is included based on its legislative vehicle. Transfers from DOD and advance appropriations are not included. Emergency funding in regular appropriations bills is treated as regular appropriations. Numbers in italics do not reflect the impact of sequestration. Authoritative post-sequester numbers for P.L. 113-2, and therefore a post-sequester grand total for FY2013, are not available.

DHS Appropriations Trends: Timing

Figure 3 shows the history of the timing of the DHS appropriations bills as they have moved through various stages of the legislative process. Initially, DHS appropriations were enacted relatively promptly, as stand-alone legislation. However, the bill is no longer an outlier from the consolidation and delayed timing that has affected other annual appropriations legislation.

Figure 3. DHS Appropriations Legislative Timing



Source: CRS analysis.

Note: Final action on the annual appropriation for DHS for FY2011, FY2013, and FY2014 did not occur until after the beginning of the new calendar year.

Major Developments

Table 4. Legislative Status of FY2014 Homeland Security Appropriations

(dates of action and votes)

Subcommittee Markup		H.Rept. 113-91	House Passage H.R. 2217	S.Rept. 113-77	Senate Passage	Omnibus Appropriations Act (H.R. 3547) Approval		P.L. 113-76
House	Senate					House	Senate	
5/16/13 (vv)	7/16/13 (8-1)	5/22/13 (vv)	6/6/13 (245-182)	7/18/13 (21-9)	—	1/15/14 (369-67)	1/16/14 (72-26)	1/17/2014

Notes: (vv) = voice vote, (uc) = unanimous consent.

April 10, 2013—President's FY2014 Budget Request Submitted

For FY2014, the Administration requested $39.028 billion in adjusted net discretionary budget authority for DHS, as part of an overall budget request of $60.0 billion (including fees, trust funds, and other funding that is not appropriated or does not score against the overall discretionary spending caps budget allocation for the bill).[5]

June 6, 2013—House Passes H.R. 2217

On June 6, 2013, the House passed H.R. 2217 with several amendments by a vote of 245-182. This report uses House-passed H.R. 2217 and the accompanying report (H.Rept. 113-91) as the source for House-passed appropriations numbers. After floor action the House bill carried a net discretionary appropriation of $38.991 billion for DHS for FY2014. Several House-adopted floor amendments used management accounts as offsets, leaving funding for those activities 40% below the requested level. Increases approved by the House above the committee-recommended level for DHS activities included Customs and Border Protection's Border Security Fencing, Infrastructure, and Technology account; Coast Guard's Operating Expenses account; the Federal Emergency Management Agency's Urban Search and Rescue Response activities; and grant programs.

July 18, 2013—Senate Appropriations Committee Reports H.R. 2217

On July 17, the Senate Appropriations Committee reported out H.R. 2217 with an amendment by a vote of 21-9. The Senate-reported bill carried a net discretionary appropriation of $39.1 billion for DHS for FY2014.

October 1, 2013—Lapse in Appropriations

Late on September 30, 2013, the Office of Management and Budget (OMB) gave notice to federal agencies that an emergency shutdown furlough would be put in place as a result of the failure to enact appropriations legislation for FY2014. On September 27, 2013, DHS released its

[5] Department of Homeland Security, *Congressional Budget Justifications, Budget Tables and Explanation of Changes for General Provisions, FY2014,* p. 1.

"Procedures Relating to a Federal Funding Hiatus,"[6] which included details on how DHS planned to determine who was required to report to work, ceasing unexempted[7] government operations, recalling certain workers in the event of an emergency, and restarting operations once an accord was reached on funding issues. More than 31,000 DHS employees were furloughed, and tens of thousands of others that were excepted from furlough and whose salaries were paid through annual appropriations worked without pay until the funding lapse was resolved.

For a broader discussion of a federal government shutdown, see CRS Report RL34680, *Shutdown of the Federal Government: Causes, Processes, and Effects*, coordinated by Clinton T. Brass.

October 17, 2013—P.L. 113-46, Continuing Appropriations Act, 2014 Passed and Enacted

On October 17, 2013, the Senate passed and the House of Representatives passed, and the President signed into law, a Senate-amended version of H.R. 2775 which carried a short term continuing resolution (CR) which funds government operations at a rate generally equivalent to FY2013 post-sequestration levels through January 15, 2014. The Senate passed the amended bill by a vote of 81-18, while the House passed it 285-144. This act temporarily resolved the lapse in funding, ending the emergency furlough, returning federal employees to work, and retroactively authorizing pay for both excepted and unexcepted employees for the duration of the funding lapse. Although a handful of legislative provisions are included to extend expiring authorities for the department and provide some flexibility for Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) in operating under the constraints of the CR, as is usually the case with this type of legislation, account-level direction for funding is not provided, and no explanatory statement of congressional intent (such as a committee report) exists.

January 14-15, 2014—P.L. 113-76, Short-Term Continuing Resolution

On January 14, 2014, the House passed by voice vote H.J.Res. 106, a short term continuing resolution, that would allow for three days of continued funding under the same terms as P.L. 113-46. On January 15, the joint resolution passed the Senate by a vote of 86-14, and was signed into law that same day, becoming P.L. 113-73 and preventing an additional lapse in appropriations funding while a consolidated appropriations act for FY2014 completed the legislative process.

January 17, 2014—President Signs the FY2014 Consolidated Appropriations Act

On January 17, 2014, the President signed into law the Consolidated Appropriations Act, 2014, which included annual appropriations legislation covering the entire discretionary budget for the federal government for FY2014. Division F of P.L. 113-76 is the Homeland Security Appropriations Act, 2014, which includes $39,270 million in adjusted net discretionary budget

[6] Available at http://www.dhs.gov/sites/default/files/publications/dhs-lapse-contingency-plan-09-27-2013.pdf. The Office of Management and Budget has assembled a complete list of such plans at http://www.whitehouse.gov/omb/contingency-plans.

[7] Some agencies use the term "excepted" rather than "exempted" to describe activities that would continue—the terms are interchangeable. This report generally uses "exempted" as DHS uses that term in its plan.

authority for DHS. This amount is $922 million more than DHS reportedly received in its annual appropriation for FY2013 after taking into account the impact of sequestration. The act also included an additional $5.6 billion requested by the Administration for FEMA in disaster relief funding as defined by the Budget Control Act, and an additional $227 million for the Coast Guard to pay the costs of overseas contingency operations. Those additional costs are compensated for by adjustments in the discretionary spending limits outlined through the Balanced Budget and Emergency Deficit Control Act, as amended.

DHS Appropriations Funding Summary by Title

Title I: Departmental Management and Operations

Title I of the DHS appropriations bill provides funding for the department's management activities, Analysis and Operations (A&O) account, and the Office of the Inspector General (OIG). The Administration requested $1,239 million for these accounts in FY2014. The House-passed bill would have provided $883 million in Title I, a decrease of 28.0% from the requested level. The Senate-reported bill would have provided $1,054 million in Title I, 14.9% below the requested level. Division F of P.L. 113-76 included $1,037 million in Title I, 16.3% below the requested level.[8]

Table 5 lists the pre-sequester enacted amounts for the individual components of Title I for FY2013, the Administration's request for these components for FY2014, and the House-passed appropriations for the same. The heavy lines in this table and in similar ones later in the report serve as a reminder that direct comparisons between the pre-sequester FY2013 funding and FY2014 proposals are not comparisons of current levels of actual spending and proposals for the coming fiscal year, as one would normally see in this type of report.

[8] While these accounts presented in Title I do show some reductions, some funding for activities requested in the accounts presented in Title I of the bill is provided through appropriations for other components, or through general provisions.

Table 5. Title I: Departmental Management and Operations, FY2013-FY2014

(millions of dollars of budget authority)

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Office of the Secretary and Executive Management	$130	$0	$130	$127	$100	$124	$122
Office of the Under Secretary for Management	218	0	218	203	133	198	196
Office of the Chief Financial Officer	51	0	51	49	31[a]	48	46
Office of the Chief Information Officer	243	0	243	327	211	263	257
Analysis and Operations	322	0	322	309	292	304	300
DHS Headquarters Consolidation[b]	0	0	0	106	0	0[c]	0[d]
Office of the Inspector General[e]	121	0	121	119	114	117	115
Net Budget Authority: Title I	**1,087**	**0**	**1,087**	**1,239**	**883**	**1,054**	**1,037**
Total Gross Budgetary Resources for Title I Components before Transfers	1,087	0	1,087	1,239	883	1,054	1,037

Sources: CRS analysis of P.L. 113-6, its accompanying Senate explanatory statement, P.L. 113-2, the FY2014 DHS Congressional Budget Justifications, H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76, and its accompanying explanatory statement.

Notes: Totals may not add due to rounding.

a. This includes the impact of Section 587, a general provision added through a floor amendment which reduced this line by $10 million.

b. This line only reflects funding for DHS Headquarters Consolidation included in Title I of the DHS appropriations bill. Other funding has been provided under Coast Guard accounts and in general provisions in previous years.

c. $56 million is provided for this purpose in Coast Guard Operating Expenses and in General Provisions of Senate-reported H.R. 2217.

d. $48 million is provided for this purpose in Coast Guard Operating Expenses and in General Provisions in Division F of P.L. 113-76

e. The Office of the Inspector General also receives transfers from FEMA to pay for oversight of disaster-related activities that are not reflected in these tables.

Title II: Security, Enforcement, and Investigations

Title II of the DHS appropriations bill, which includes over three-quarters of the budget authority provided in the legislation, contains the appropriations for U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), the Transportation Security Administration (TSA), the U.S. Coast Guard (USCG), and the U.S. Secret Service (USSS). The Administration requested $30,283 million for these accounts in FY2014. The House-passed bill would have provided $30,768 million under Title II, an increase of 1.60% from the requested level. The Senate-reported bill would have included $30,289 million in Title II, an increase of less than 0.1% from the requested level. Division F of P.L. 113-76 included $30,877 million in Title II, 2.1% above the requested level. Both the Senate-reported bill and the enacted annual appropriations act also included an additional $227 million in funding for overseas contingency operations of Coast Guard, compensated for by an adjustment in the discretionary spending limits outlined through the Balanced Budget and Emergency Deficit Control Act, as amended. **Table 6** lists the enacted amounts for the individual components of Title II for FY2013, the Administration's request for these components for FY2014, the House-passed and Senate-reported appropriations for the same, and the annual appropriation enacted through Division F of P.L. 113-76.

Table 6. Title II: Security, Enforcement, and Investigations, FY2013-FY2014

(millions of dollars of budget authority)

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Customs and Border Protection							
Salaries and Expenses	$8,282	$2	$8,284	$9,237	$8,276	$7,976	$8,146
Small Airport User Fee[a]	—		—	5	5	5	5
Automation Modernization	719		719	340	700	800	817
Border Security Fencing, Infrastructure, and Technology	324		324	351	361	351	351
Air and Marine Interdictions	798		798	428	803	756	805
Facilities Management	233		233	471	471	471	456
Appropriation	**10,356**	**2**	**10,358**	**10,833**	**10,617**	**10,360**	**10,580**
Fees, Mandatory Spending, and Trust Funds	1,519		1,519	2,064	2,064	2,064	1,704
Total Budgetary Resources	11,873	2	11,874	12,897	12,680	12,424	12,284

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Immigration and Customs Enforcement							
Salaries and Expenses	5,387	1	5,388	4,957	5,344	5,014	5,229
Automation & Infrastructure Modernization	33		33	35	35	35	35
Construction	5		5	5	5	5	5
Appropriation	**5,426**	**1**	**5,427**	**4,997**	**5,384**	**5,054**	**5,269**
Fees, Mandatory Spending, and Trust Funds	312		312	345	345	345	345
Total Budgetary Resources	5,738	1	5,738	5,342	5,729	5,399	5,614
Transportation Security Administration							
Aviation Security (net funding)	2,976		2,976	2,743	2,755	2,819	2,863
Surface Transportation Security	124		124	109	124	109	109
Transportation Threat Assessment and Credentialing (net funding)	192		192	181	183	180	176
Transportation Security Support	953		953	998	898	979	962
Federal Air Marshals	907		907	827	821	821	819
Appropriation	**5,152**		**5,152**	**4,857**	**4,781**	**4,908**	**4,929**
Fees, Mandatory Spending, and Trust Funds	2,399		2,399	2,541	2,436	2,436	2,436
Total Budgetary Resources	7,551		7,551	7,398	7,217	7,344	7,365
U.S. Coast Guard							
Operating Expenses	6,812		6,812	6,755	6,839	6,799	6,785
Environmental Compliance & Restoration	13		13	13	13	13	13
Reserve Training	132		132	110	113	122	120

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Acquisition, Construction, & Improvements	1,543	274[b]	1,818	951	1,223	1,230	1,376
Research, Development, Testing, and Evaluation	20		20	20	10	20	19
Health Care Fund Contribution[a]	203		203	201	201	201	201
Discretionary Appropriation	**8,723**	**274**	**8,997**	**8,050**	**8,399**	**8,385**	**8,514**
Fees, Mandatory Spending, and Trust Funds	1,823		1,823	1,808	1,808	1,808	1,808
Overseas Contingency Operations Adjustment	254		254	0	0	227	227
Total Budgetary Resources	10,800	274	11,075	9,858	10,207	10,421	10,549
Secret Service							
Salaries and Expenses	1,554	*	1,554	1,495	1,535	1,530	1,533
Acquisition, Construction, and Improvements	57		57	52	52	52	52
Appropriation	**1,611**	*****	**1,611**	**1,546**	**1,586**	**1,582**	**1,585**
Fees, Mandatory Spending, and Trust Funds	250		250	255	255	255	255
Total Budgetary Resources	1,861		1,861	1,801	1,841	1,837	1,840
Net Discretionary Budget Authority: Title II[c]	**31,267**	**277**	**31,544**	**30,283**	**30,768**	**30,289**	**30,877**
Total Budgetary Resources for Title II Components before Transfers	37,824	277	38,102	37,191	37,675	37,424	37,651

Sources: CRS analysis of P.L. 113-6, its accompanying Senate explanatory statement, P.L. 113-2, the FY2014 DHS Congressional Budget Justifications, H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76, and its accompanying explanatory statement.

Notes: Totals may not add due to rounding. An * indicates a level of funding below $500,000, that therefore rounds to zero.

a. In FY2014 these funds are considered permanent indefinite discretionary spending—they count against the allocation for the bill, and are ready for use without being actually included in the appropriations legislation.

b. Transfer authority was provided in P.L. 113-2 that would allow a portion of these funds to be shifted to the Coast Guard operating expenses account.

c. Includes adjustments under the BCA for emergency spending.

Title III: Protection, Preparedness, Response, and Recovery

Title III of the DHS appropriations bill contains the appropriations for the National Protection and Programs Directorate (NPPD), the Office of Health Affairs (OHA), and the Federal Emergency Management Agency (FEMA). The Administration requested $5,383 million for these accounts in FY2014. The House-passed bill would have provided $5,928 million, an increase of 10.1% above the requested level.[9] The Senate-reported bill would have provided $5,955 million, an increase of 10.6% above the requested level. Division F of P.L. 113-76 included $5,952 million in Title III, 10.6% above the requested level. In addition, all three versions of this title also include a requested $5,626 million for disaster relief that is offset by an adjustment under the Budget Control Act. **Table 7** lists the enacted amounts for the individual components of Title III for FY2013, the Administration's request for these components for FY2014, the House-passed and Senate-reported appropriations for the same, and the annual appropriation enacted through Division F of P.L. 113-76.

Table 7. Title III: Protection, Preparedness, Response, and Recovery, FY2013-FY2014

(millions of dollars of budget authority)

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
National Protection and Programs Directorate							
Management and Administration	$50			$65	$51	$60	$56
Infrastructure Protection and Information Security	1,156		1,156	1,202	1,177	1,209	1,187
Office of Biometric Identity Management[a]	232		232		232	206	227
Appropriation	**1,438**		**1,438**	**1,267**	**1,459**	**1,474**	**1,471**
Fees, Mandatory Spending, and Trust Funds	1,302		1,302	1,302	1,302	1,302	1,302
Total Budgetary Resources	2,740		2,740	2,569	2,761	2,776	2,772

[9] This includes the impact of §587, a general provision added through a floor amendment which provided an additional $10 million for FEMA.

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Office of Health Affairs							
Appropriation	**132**		**132**	**132**	**123**	**128**	**127**
Fees, Mandatory Spending, and Trust Funds	0		0	0	0	0	0
Total Budgetary Resources	132		132	132	123	128	127
Federal Emergency Management Agency							
Salaries and Expenses	972		972	1,042	922	949	947
Grants and Training	2,488		2,488	2,123	2,540	2,527	2,530
U.S. Fire Administration	44		44	41	44	44	44
Disaster Relief Fund[b]	607		607	595	595	595	595
Total Disaster Relief Funding	[7,007]	[11,488]	[18,495]	[6,221]	[6,221]	[6,221]	[6,221]
Disaster Assistance Direct Loan Account	0	300	300	0	0	0	0
Flood Hazard Mapping and Risk Analysis	95		95	84	95	95	95
Pre-disaster Mitigation Fund	25		25	0	30	25	25
Emergency Food and Shelter	120		120	100	120	120	120
Radiological Emergency Preparedness	-1		-1	-1	-1	-1	-1
Appropriation	**4,349**	**6,409**	**10,758**	**3,984**	**4,345**	**4,353**	**4,354**
Fees, Mandatory Spending, and Trust Funds	3,551		3,551	3,702	3,702	3,702	3,702
Disaster Relief Adjustment	6,400	5,379	11,779	5,626	5,626	5,626	5,626
Total Budgetary Resources	14,300	11,788	26,088	13,475	13,673	13,682	13,683
Net Budget Authority: Title III	**5,920**	**6,409**	**12,329**	**5,383**	**5,928**	**5,955**	**5,952**

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Total Budgetary Resources for Title III Components before Transfers	17,172	11,788	28,960	16,337	16,558	16,586	16,558

Sources: CRS analysis of P.L. 113-6, its accompanying Senate explanatory statement, P.L. 113-2, the FY2014 DHS Congressional Budget Justifications, H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76, and its accompanying explanatory statement.

Notes: Totals may not add due to rounding.

a. The FY2013 Budget Justification requested a transfer of the US-VISIT entry-exit program from the DHS National Protection and Programs Directorate (NPPD) to CBP, but P.L. 113-6 left the entry-exit program within NPPD, renaming it the Office of Biometric Identity Management (OBIM). The FY2014 Budget Justification included a request for US-VISIT funding within the CBP Salaries and Expenses account, but H.R. 2217 and P.L. 113-76 mainly funded the entry-exit program through the OBIM, as in P.L. 113-6.

b. Funding for the Disaster Relief Fund (DRF) that counts against the discretionary budget caps is shown in this line, with the next line reflecting the total resources made available for the DRF. The total is equal to this line plus the allowable adjustment for disaster relief under the BCA reflected below, which represents resources set aside to pay for FEMA's share of federal costs associated with major disasters under the Stafford Act.

Title IV: Research and Development, Training, and Services

Title IV of the DHS appropriations bill contains the appropriations for U.S. Citizenship and Immigration Services (USCIS), the Federal Law Enforcement Training Center (FLETC), the Science and Technology directorate (S&T), and the Domestic Nuclear Detection Office. The Administration requested $2,214 million for these accounts in FY2014. The House-passed bill would have provided $1,890 million, a decrease of 14.7% below the requested level. The Senate-reported bill would have provided $1,885 million, a decrease of 15.0% below the requested level. Division F of P.L. 113-76 included $1,878 million in Title IV, 15.2% below the requested level. **Table 8** lists the enacted amounts for the individual components of Title IV for FY2013, the Administration's request for these components for FY2014, the House-passed and Senate-reported appropriations for the same, and the annual appropriation enacted through Division F of P.L. 113-76.

Table 8. Title IV: Research and Development, Training, and Services, FY2013-FY2014

(millions of dollars of budget authority)

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Citizenship and Immigration Services							
Appropriation	**$112**		**$112**	**$124**	**$114**	**$119**	**$114**

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Fees, Mandatory Spending, and Trust Funds	2,882		2,882	3,095	3,095	3,100	3,103
Total Budgetary Resources	2,994		2,994	3,219	3,209	3,219	3,217
Federal Law Enforcement Training Center							
Salaries and Expenses	228		228	241	228	228	228
Acquisition, Construction, Improvements and Related Expenses	28		27	31	31	31	31
Appropriation	**257**		**256**	**271**	**259**	**259**	**259**
Fees, Mandatory Spending, and Trust Funds	0		0	0	0	0	0
Total Budgetary Resources	257		257	271	259	259	259
Science and Technology							
Management and Administration	132		132	130	129	129	129
Research, Development, Acquisition, and Operations	703	3	706	1,397	1,096	1,089	1,091
Appropriation	**834**	**3**	**838**	**1,527**	**1,225**	**1,218**	**1,220**
Fees, Mandatory Spending, and Trust Funds	0	0	0	0	0	0	0
Total Budgetary Resources	834	3	838	1,527	1,225	1,218	1,220
Domestic Nuclear Detection Office							
Management and Administration	40		40	38	37	37	37
Research, Development, and Operations	227		227	211	211	209	205
Systems Acquisition	51	4	55	43	43	43	43
Appropriation	**318**	**4**	**321**	**291**	**291**	**289**	**285**

	FY2013 Enacted (pre-sequester)			FY2014 Appropriations			
	P.L. 113-6	P.L. 113-2	Total	Request	House-passed H.R. 2217	Senate-reported H.R. 2217	Div. F, P.L. 113-76
Fees, Mandatory Spending, and Trust Funds	0	0	0	0	0	0	0
Total Budgetary Resources	318	4	321	291	291	289	285
Net Budget Authority: Title IV	**1,520**	**7**	**1,527**	**2,217**	**1,890**	**1,885**	**1,878**
Total Budgetary Resources for Title IV Components before Transfers	4,403	7	4,410	5,309	4,985	4,986	4,981

Sources: CRS analysis of P.L. 113-6, its accompanying Senate explanatory statement, P.L. 113-2, the FY2014 DHS Congressional Budget Justifications, H.R. 2217, H.Rept. 113-91, S.Rept. 113-77, P.L. 113-76 and its accompanying explanatory statement.

Note: Totals may not add due to rounding.

Title V: General Provisions

Title V of the DHS appropriations bill contains the general provisions for the bill. These typically include a variety of provisions that apply generally to the bill, as opposed to a single appropriation. However, general provisions may carry additional appropriations, rescissions of prior-year appropriations, limitations on the use of funds, or permanent legislative language as well.

The Administration's request was made in relation to the general provisions for DHS included in the FY2012 appropriations act (Division D of P.L. 112-74), as the FY2013 appropriations process had not been concluded while the FY2014 request was being developed.

The Administration proposed dropping 36 general provisions, most of which they had proposed eliminating in FY2013. Eleven of those were already eliminated in the final FY2013 appropriations bill. The Administration also proposed adding 10 provisions and modifying 10 others.

While many of those modifications were simple date changes, one represented a significant change from previous practices. The Administration proposed modifying Section 503, which governs reprogramming of funds, to provide transfer authority that would allow funds to be moved between appropriations accounts within DHS to expedite response to a catastrophic event.

The House concurred with the Administration's request to drop three general provisions beyond the 11 that were dropped from the FY2013 DHS appropriations act. The House Appropriations Committee did not add any of the general provisions requested by the Administration—with the exception of a rescission provision that it modified[10]—and rejected the expansion of reprogramming authority. H.R. 2217 as reported to the House had 65 general provisions. The House added 19 general provisions to the bill during floor action, bringing the total number of

[10] H.R. 2217[rfs2], §567.

general provisions in its version of H.R. 2217 to 84. Eighteen of these newly added general provisions prohibit the use of funds provided in the bill for specific activities.

The Senate Appropriations Committee chose to drop a provision that the House retained,[11] kept four proposed for removal that the House did not,[12] and added several other provisions. It added two provisions requested by the Administration—one authorizing the use of reimbursable fee agreements to fund CBP services,[13] and a modified provision allowing DHS to receive donations to construct, alter, operate, or maintain land ports of entry.[14] The Senate-reported bill includes 72 general provisions in all.

Division F of P.L. 113-76 included 77 general provisions in all. Seven provisions of the 74 general provisions carried in the FY2013 Homeland Security Appropriations Act were dropped, and ten were added. Section 559 of the act included a modified version of the Administration's requested authority to enter into reimburseable fee agreements and to receive donations. The act did not include the requested expansion of reprogramming authority.

Provisions That Directly Affect the Cost of the Bill

House-passed H.R. 2217 included $460 million in rescissions in Title V, while the Senate-reported version included $241 million in rescissions. Division F of P.L. 113-76 included $693 million in Title V. These provisions reduce the net score of the act.

The House-passed bill would have provided $34 million for DHS's data center consolidation effort through a general provision, while the Senate-reported bill would have provided $54 million in the same fashion, as well as $43 million for DHS headquarters consolidation at St. Elizabeths. These are cross-cutting initiatives which have been funded in the past in the general provisions of the legislation. The Senate-reported bill also included legislative language to allow DHS to use fee revenues collected as a result of lifting a fee exemption, which adds $110 million to the overall cost of the legislation. Division F of P.L. 113-76 included $3 million for a USCIS immigrant integration grant program, as well as $42 million for data center migration, $35 million for DHS headquarters consolidation, and $30 million for financial systems modernization. The division also includes the legislative language concerning fees as proposed by the Senate.

These are the only provisions in this title that impact the score of the act.

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[11] Ibid., §520.

[12] H.R. 2217[rs], §522, §526, §527, and §529.

[13] Ibid., §555.

[14] Ibid., §566.

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