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Comparing DHS Component Funding, FY2021: In Brief

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The homeland security appropriations bill includes all annual appropriations for the Department of Homeland Security (DHS), providing resources to every departmental component.[1] This report reviews the budget authority provided to DHS for FY2020 and requested by the Donald J. Trump administration for FY2021, as well as the congressional response. It also includes component-level information on FY2020 supplemental funding for DHS provided in the P.L. 116-136, the CARES Act.[2] The report provides a look at the resources available to DHS components that are described in appropriations committee documentation, and examines "net discretionary annual appropriations" for DHS—a perspective on the net impact of legislation that funds DHS on congressionally-tracked budget totals.

The FY2021 DHS Appropriations Process Thus Far

On February 10, 2020, the Trump Administration released their FY2021 budget request, which included $49.71 billion in adjusted net discretionary budget authority to be provided through the appropriations process—$0.75 billion (1.5%) less than had been enacted through the Department of Homeland Security Appropriations Act, 2020 (P.L. 116-93, Div. D). As part of the request the Administration requested moving $2.63 billion in U.S. Secret Service (USSS) funding from DHS to the Department of the Treasury. When the USSS funding request is included in the FY2021 DHS appropriations request, the DHS request is $1.88 billion (3.7%) above the FY2020 enacted level of annual appropriations.

On July 15, 2020, the House Appropriations Committee marked up H.R. 7669, its version of the Department of Homeland Security Appropriations Act, 2021. H.Rept. 116-458 was filed July 20, 2020. Committee-reported H.R. 7669 included $50.69 billion in adjusted net discretionary budget authority. This was $0.98 billion (2.0%) above the level requested by the Administration, and $0.22 billion (0.4%) above the FY2020 enacted level of annual appropriations.

H.R. 7669 was not brought to the House floor before the end of FY2020—one of only two annual appropriations measures for FY2021 to be reported by the House Appropriations Committee that did not get floor consideration. As no annual appropriations for FY2021 had been signed into law before the end of FY2020, on October 1, 2020, a continuing resolution was enacted (P.L. 116-159), temporarily extending funding for the federal government at the FY2020 rate for operations through December 11, 2020, including most DHS components and programs.[3]

On November 10, 2020, the chair of the Senate Committee on Appropriations released drafts of all 12 annual appropriations bills along with draft explanatory statements for each.[4] The release of the draft bills was intended to further negotiations on annual appropriations between the House

[1] Under the Trump Administration's FY2020 budget, as in previous years, DHS would also receive budgetary resources through appropriations in permanent law, as well as reimbursements and transfers from other parts of the federal government. However, the DHS appropriations act is the primary vehicle through which Congress annually funds and directs the financial activities of the department.

[2] The CARES Act was the third in a series of relief packages enacted during the COVID-19 pandemic. CARES is an acronym for "Coronavirus Aid, Relief, and Economic Security." Division B of the CARES Act is the Emergency Appropriations for Coronavirus Health Response and Agency Operations.

[3] For further information on the FY2021 continuing resolutions, see CRS Report R46582, *Overview of Continuing Appropriations for FY2021 (P.L. 116-159)*.

[4] The 12 draft bills and explanatory statements are on the Senate Appropriations Committee's website linked to the majority press release at https://www.appropriations.senate.gov/news/committee-releases-fy21-bills-in-effort-to-advance-process-produce-bipartisan-results.

and the Senate.[5] The Senate Appropriations majority draft bill for DHS for FY2021 included $52.62 billion in adjusted net discretionary budget authority for FY2021. This was $2.91 billion (5.9%) above the level requested by the Administration, and $2.15 billion (4.2%) above the enacted annual level for FY2020.

DHS Budgetary Resources: Looking Beyond the Score

Discussion regarding annual appropriations often centers on the appropriations provided in the bill or how the bill scores against budget limitations. However, this "score" does not represent the total budget authority provided to DHS, or controlled through appropriations bills and reports.

- The use of offsetting collections reduces the "score" of the bill and provides significant resources to some components of DHS, such as the Transportation Security Administration.
- Discretionary scores of bills do not include mandatory spending, resources derived directly from fee collections without annual congressional action, or resources covered by adjustments to the discretionary spending limits.[6]

Congress controls the reprogramming of many of these resources through *detail tables* provided at the end of appropriations committee reports, conference reports, and statements of managers.

Figure 1 uses the data drawn from these detail tables to provide a more comprehensive picture of the resources available to seven DHS components:[7]

- U.S. Customs and Border Protection (CBP),
- the U.S. Coast Guard (USCG),
- Immigration and Customs Enforcement (ICE),
- the Transportation Security Administration (TSA),
- Federal Emergency Management Agency (FEMA),
- U.S. Secret Service (USSS), and
- the Cybersecurity and Infrastructure Security Agency (CISA).

These are the seven largest components of DHS in terms of net discretionary budget authority.

In **Figure 1** these seven components are listed along the bottom axis. Each component's funding level as a section of the figure has four bars, representing the different phases of the appropriations process: prior-year (i.e., FY2020) enacted, current year (i.e., FY2021) requested annual appropriations, and the latest actions of the House and Senate appropriations committees. The base segment of each bar represents net discretionary budget authority.

[5] Ibid. See also the statement from the Senate Appropriations Committee Vice Chair, Senator Patrick Leahy, at https://www.appropriations.senate.gov/news/minority/senate-approps-vice-chair-leahy-statement-on-the-release-of-the-fy-2021-senate-appropriations-bills-.

[6] These adjustments, established by the Budget Control Act of 2011 (BCA; P.L. 112-25), include special exemption from discretionary spending limits for emergency requirements, the designated costs of major disasters, and for Overseas Contingency Operations.

[7] Supplemental appropriations measures often do not have their contents reflected in a concurrently produced table—therefore, FY2020 supplemental appropriations data are drawn directly from the supplemental appropriations acts.

On top of these bases are several other segment types, representing fee revenues, offsetting collections, mandatory spending,[8] funding from unobligated balances directed by the appropriations measure, and funding covered by adjustments to discretionary spending limits under the Budget Control Act of 2011 (BCA; P.L. 112-25) in annual appropriations.[9]

Figure 1 allows for a visual comparison of changes in individual component funding and provides a more complete description of each component's overall resource level than a review of the net discretionary appropriations alone. Among the changes it illuminates are:

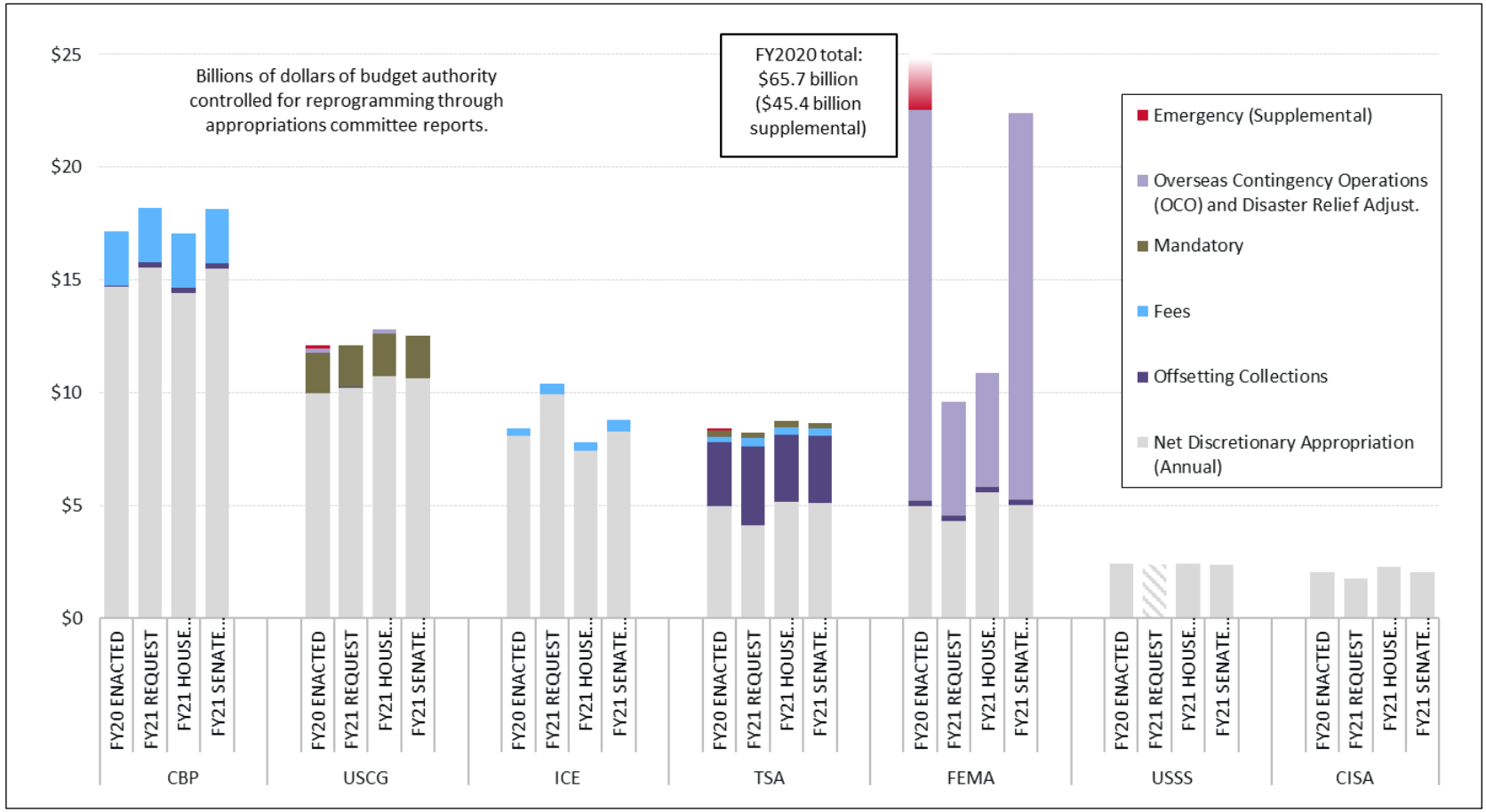
- the ongoing efforts by the Administration to increase funding for border barriers (through CBP) and immigration enforcement (through ICE), seen in the FY2021 request, as well as the differing responses of the House and Senate appropriations committees;
- the relative size of the investment in the costs of major disasters (FEMA), compared to other elements of the DHS budget;
- the Administration's proposal to shift the USSS to Treasury, which was not endorsed by the appropriators of either body;
- the House and Senate appropriations committees' increase in funding for cybersecurity (CISA); and
- an increase in discretionary spending to support the TSA's budget in the absence of the Trump Administration's proposed fee increase (reflected in a change in offsetting collections).

The reader may also note the large amount of supplemental funding for FEMA in FY2020 through the CARES Act, due in part to the high levels of disaster relief-designated funding in the annual appropriations process to meet the needs of ongoing disaster recovery across the country.

[8] The mandatory spending reflected here is composed of two elements: Coast Guard retired pay, which is considered mandatory spending but requires congressional action nonetheless; and $250 million from the Aviation Security Capital Fund.

[9] For the DHS appropriations legislation, these have included funding designated as disaster relief and funding designated as supporting Overseas Contingency Operations. For more details about adjustments to discretionary spending limits under the BCA, see CRS Report R45778, *Exceptions to the Budget Control Act's Discretionary Spending Limits*, by Megan S. Lynch.

Figure 1. Department of Homeland Security Budget Authority by Selected Component, FY2020-FY2021



Source: CRS analysis of P.L. 116-93, Division D and its explanatory statement as included in H. Comm. Prt. 38-678, P.L. 116-36, H.R. 7669, H.Rept. 116-458, and the Senate Appropriations Committee majority-produced draft appropriations bill and explanatory statement released on November 11, 2020.

Notes: Totals do not reflect the impact of rescissions or scoring charged to the bill on the basis of changes in mandatory programs. The Administration did not request funding for the USSS in DHS, but as part of the Department of Treasury: the patterned bar shows the request for comparison.

Table 1 provides a complete breakdown of the total budget authority outlined in **Figure 1** for all DHS components, arranged by FY2020 enacted net discretionary budget authority.

Table 1. Department of Homeland Security Budget Authority by Component, FY2020-FY2021

(thousands of dollars of budget authority controlled for reprogramming through appropriations committee reports)

	FY2020	FY2021		
Component Funding Aspect	**EnactedP.L. 116-93, Division D[a]**	**Budget Request**	**FY2021 House Appropriations Committee-reported H.R. 7669**	**FY2021 Senate Appropriations Committee Majority Draft Bill**
Customs and Border Protection	**17,411,298**	**18,206,637**	**17,055,630**	**18,132,219**
Net Discretionary Funding	14,682,867[b]	15,558,792	14,407,785	15,484,374
Offsetting Collections	39,000	238,939	238,939	238,939
Fees	2,456,431	2,408,906	2,408,906	2,408,906
U.S. Coast Guard	**12,106,924**	**12,105,598**	**12,816,825**	**12,502,612**
Net Discretionary	9,973,815	10,231,894	10,728,121	10,628,908
Offsetting Collections	0	4,000	4,000	4,000
Mandatory[c]	1,802,309	1,869,704	1,869,704	1,869,704
Budget Control Act Adjustment (OCO)	190,000	0	215,000	0
Emergency Supplemental	140,800	0	0	0
Immigration and Customs Enforcement	**8,399,871**	**10,416,160**	**7,782,858**	**8,774,491**
Net Discretionary	8,080,071	9,927,063	7,406,248	8,285,394
Fees	319,800	489,097	376,610	489,097
Transportation Security Administration	**8,400,481**	**8,241,792**	**8,720,887**	**8,669,474**
Net Discretionary	4,983,567	4,132,328	5,171,423	5,120,010
Offsetting Collections	2,830,000	3,500,000	2,940,000	2,940,000
Fees	236,914	359,464	359,464	359,464
Mandatory	250,000	250,000	250,000	250,000
Emergency Supplemental	100,000	0	0	0
Federal Emergency Management Agency	**68,002,687**	**9,594,388**	**10,872,610**	**22,398,507**
Net Discretionary	4,965,176[d] [e]	4,296,667	5,574,889[d]	5,018,095[e]
Offsetting Collections	240,412	237,772	237,772	238,412
Budget Control Act Adjustment (Disaster Relief)	17,352,112	5,059,949	5,059,949	17,142,000
Emergency Supplemental	45,444,987	0	0	0

Component Funding Aspect	FY2020	FY2021		
	EnactedP.L. 116-93, Division D[a]	Budget Request	FY2021 House Appropriations Committee-reported H.R. 7669	FY2021 Senate Appropriations Committee Majority Draft Bill
U.S. Secret Service	**2,415,845**	**[2,360,538][f]**	**2,432,796**	**2,370,344**
Net Discretionary	2,415,845	[2,360,538][f]	2,432,796	2,370,344
Cybersecurity and Infrastructure Security Agency	**2,024,722**	**1,757,798**	**2,254,747**	**2,028,822**
Net Discretionary	2,024,722	1,757,798	2,254,747	2,028,822
Management Directorate	**3,123,370**	**3,350,394**	**3,349,955**	**3,045,087**
Net Discretionary	1,563,440	1,761,646	1,761,207	1,456,339
Offsetting Collections	1,559,930	1,588,748	1,588,748	1,588,748
Emergency Supplemental	178,300	-	-	-
Science and Technology Directorate	**737,275**	**643,729**	**755,311**	**763,744**
Net Discretionary	737,275	643,729	755,311	763,744
Countering Weapons of Mass Destruction	**432,299**	**377,160**	**395,262**	**387,577**
Net Discretionary	432,299	377,160	395,262	387,577
Federal Law Enforcement Training Center	**351,170**	**331,479**	**343,945**	**330,423**
Net Discretionary	351,170	331,479	343,945	330,423
Analysis and Operations	**284,141**	**312,638**	**311,263**	**300,232**
Net Discretionary	284,141	312,638	311,263	300,232
Office of the Inspector General	**190,186**	**177,779**	**190,186**	**192,000**
Net Discretionary	190,186	177,779	190,186	192,000
Office of the Secretary and Executive Management	**357,108**	**150,359**	**151,868**	**172,319**
Net Discretionary	178,808[e]	150,359	151,868	172,319
U.S. Citizenship and Immigration Services	**4,851,219**	**5,050,549**	**5,069,864**	**5,050,549**
Net Discretionary	132,395	118,676	183,949	118,676
Fees	4,718,824	4,931,873	4,885,915	4,931,873
TOTAL NET DISCRETIONARY BUDGET AUTHORITY PLUS ADJUSTMENTS, DHS	***114,634,976***	***54,837,957***	***57,343,949***	***69,799,257***

Source: CRS analysis of P.L. 116-93, Division D and its explanatory statement as included in H. Comm. Prt. 38-678, P.L. 116-136, H.R. 7669, H. Rept. 116-458, and the Senate Appropriations Committee majority-produced draft appropriations bill and explanatory statement released on November 10, 2020.

Notes: Totals do not reflect the impact of rescissions or scoring charged to the bill on the basis of changes in mandatory programs. Adjustments include emergency, disaster relief, and Overseas Contingency Operations (OCO) designated funding.

a. Emergency supplemental funding in this column was provided by P.L. 116-136.

b. The table and figure do not reflect a redirection of $233 million in emergency appropriations for CBP from P.L. 116-26 by P.L. 116-93, Division D, §212 and §537.

c. Coast Guard retired pay is considered mandatory spending, but still requires an appropriation each year to provide the resources the U.S. government is legally obligated to pay.

d. Includes $41 million for a grant program funded in Title V for reimbursement to local government for law enforcement costs for protecting the President.

e. Does not reflect a $10 million transfer from the Office of the Secretary and Executive Management to the Federal Emergency Management Agency to fund the Targeted Violence and Terrorism Prevention Grants program.

f. Included for reference only and not in the total, as this funding was requested as part of the budget for the Department of the Treasury.

Some DHS components have access to funding beyond the budget authority controlled for reprogramming through the aforementioned detail tables in appropriations committee reports. Although some of the mandatory spending for DHS, including fee-funded programs, is reflected in the tables, much of DHS's mandatory spending is not, and is therefore not reflected in **Figure 1** or **Table 1**. This includes spending on flood insurance claims, as well as trust funds for the Coast Guard and the Secret Service. Information on this type of mandatory spending can be found in the Administration's budget request.[10]

Likewise, the detail tables do not reflect reimbursements between components for services provided, such as payments from partner agencies to the Federal Law Enforcement Training Center for the cost of training programs. Information on these resources can be found in the DHS annual budget justifications submitted to Congress.

DHS Appropriations: Comparing Scores

It is often rhetorically useful to describe the comparative difference in funding for given DHS components. This is frequently done by comparing the net discretionary funding level for components. **Table 2** shows congressional action on net discretionary annual FY2021 appropriations for DHS distributed by departmental component.

Each grouping of three lines in **Table 2** presents an analysis of a component's net discretionary annual appropriations—appropriations provided from the Treasury that are not offset by other incoming resources.[11] Lines below each component name indicate two baselines commonly used to make comparisons of appropriations—the FY2021 requested funding level and the FY2020 enacted funding level, both expressed in thousands of dollars of net discretionary budget authority. To the right of each component name in bold is the funding level reported by the House Appropriations Committee in H.Rept. 116-458 and the Senate Appropriations Committee majority's explanatory statement accompanying their draft bill for FY2021. Below each line of bold numbers are two analytical lines showing the change that bold number represents compared to the two baselines: these changes are reflected in thousands of dollars, and then as a percentage.

[10] The FY2021 DHS budget request can be found at https://www.whitehouse.gov/wp-content/uploads/2020/02/dhs_fy21.pdf.

[11] In accordance with appropriations committee practices, these totals do not include elements of annual funding covered by the disaster relief designation or overseas contingency operations designation.

The components are ordered from largest to smallest by FY2020 enacted annual net discretionary funding level.

FY2020 supplemental appropriations are not reflected in **Table 2.** The purpose of the table is to provide comparative perspectives on *annual* appropriations levels at various stages of the process, as well as to improve understanding of comparative annual appropriations levels across the department, rather than to survey *total* resources provided by Congress, which can be seen in **Figure 1** and **Table 1**.

Table 2. DHS Annual Appropriations by Component, FY2020-FY2021

(net discretionary budget authority, in thousands of dollars)

		House Committee-Reported H.R. 7669		Senate Appropriations Majority Draft	
Component Baseline	**Baseline Value**	**$ change v. baseline**	**% change v. baseline**	**$ change v. baseline**	**% change v. baseline**
Customs and Border Protection		**14,407,785**		**15,484,374**	
FY2021 Request	15,558,792	-1,151,007	-7.4%	-74,418	-0.5%
FY2020 Enacted	14,682,867	-275,082	-1.9%	801,507	5.5%
U.S. Coast Guard		**10,728,121**		**10,628,908**	
FY2020 Request	10,231,894	496,227	4.8%	397,014	3.9%
FY2019 Enacted	9,973,815	754,306	7.6%	655,093	6.6%
Immigration and Customs Enforcement		**7,406,248**		**8,285,394**	
FY2021 Request	9,927,063	-2,520,815	-25.4%	-1,641,669	-16.5%
FY2020 Enacted	8,080,071	-673,823	-8.3%	205,323	2.5%
Transportation Security Agency		**5,171,423**		**5,120,010**	
FY2021 Request	4,132,328	1,039,095	25.1%	987,682	23.9%
FY2020 Enacted	4,983,567	187,856	3.8%	136,443	2.7%
Federal Emergency Management Agency		**5,574,889**		**5,018,095**	
FY2021 Request	4,296,667	1,278,222	29.7%	721,428	16.8%
FY2020 Enacted	4,965,176	609,713	12.3%	52,919	1.1%
U.S. Secret Service		**2,432,796**		**2,370,344**	
FY2021 Request	2,360,538[a]	72,258	3.1%	9,806	0.4%
FY2020 Enacted	2,415,845	16,951	0.7%	-45,501	-1.9%
Cybersecurity and Infrastructure Security Agency		**2,254,747**		**2,028,822**	
FY2021 Request	1,757,798	496,949	28.3%	271,024	15.4%
FY2020 Enacted	2,024,722	230,025	11.4%	4,100	0.2%
Management Directorate		**1,761,207**		**1,456,339**	
FY2021 Request	1,761,646	-439	0.0%	-305,307	-17.3%
FY2020 Enacted	1,563,440	197,767	12.6%	-107,101	-6.9%

Component Baseline	Baseline Value	House Committee-Reported H.R. 7669		Senate Appropriations Majority Draft	
		$ change v. baseline	% change v. baseline	$ change v. baseline	% change v. baseline
Science and Technology Directorate		**755,311**		**763,744**	
FY2021 Request	643,729	111,582	17.3%	120,015	18.6%
FY2020 Enacted	737,275	18,036	2.4%	26,469	3.6%
Office of Countering Weapons of Mass Destruction		**395,262**		**387,577**	
FY2021 Request	377,160	18,102	4.8%	10,417	2.8%
FY2020 Enacted	432,299	-37,037	-8.6%	-44,722	-10.3%
Federal Law Enforcement Training Center		**343,945**		**330,423**	
FY2021 Request	331,479	12,466	3.8%	-1,056	-0.3%
FY2020 Enacted	351,170	-7,225	-2.1%	-20,747	-5.9%
Analysis and Operations		**311,263**		**300,232**	
FY2021 Request	312,638	-1,375	-0.4%	-12,406	-4.0%
FY2020 Enacted	284,141	27,122	9.5%	16,091	5.7%
Office of the Inspector General		**190,186**		**192,000**	
FY2021 Request	177,779	12,407	7.0%	14,221	8.0%
FY2020 Enacted	190,186	0	0.0%	1,814	1.0%
Office of the Secretary and Executive Management		**151,868**		**172,319**	
FY2021 Request	150,359	1,509	1.0%	21,960	14.6%
FY2020 Enacted	178,808	-26,940	-15.1%	-6,489	-3.6%
U.S. Citizenship and Immigration Services		**183,949**		**118,676**	
FY2021 Request	118,676	65,273	55.0%	0	0.0%
FY2020 Enacted	132,395	51,554	38.9%	-13,719	-10.4%

Source: CRS analysis of P.L. 116-93. Division D and its explanatory statement as included in H. Comm. Prt. 38-678, P.L. 116-36, H.R. 7669, H.Rept. 116-458, and the Senate Appropriations Committee majority-produced draft appropriations bill and explanatory statement released on November 10 2020.

Notes: Totals do not reflect the impact of rescissions or scoring charged to the bill on the basis of changes in mandatory programs.

a. Included for reference only and not in the total, as this funding was requested as part of the budget for the Department of the Treasury.

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