

Subcommittee Ranking Member David Price

Consideration of the FY 2013 DHS Appropriations Bill

June 6, 2012

"Mr. Chairman, I yield myself such time as I may consume.

"I am pleased we are considering the fiscal year 2013 Department of Homeland Security appropriations bill in a timely fashion and under an open rule. Chairman Aderholt has been collaborative and collegial in the drafting of this bill, and I appreciate his willingness to include input from our side along the way.

"I am generally supportive of the funding levels provided in the bill, but the fact remains that our Subcommittee was forced to accept a reduced allocation for the Department of Homeland Security (DHS) when Republicans unilaterally cast aside the spending agreement we reached last August, forcing the Appropriations Committee to absorb \$19 billion in reductions below the Budget Control Act levels. Largely because the majority broke that agreement, DHS is funded at one percent below the requested level, continuing a downward funding trend for this agency over the past few years. The bill does retain the disaster cap adjustment included in the Budget Control Act agreement.

"Fortunately, despite these circumstances, the bill before us provides adequate funding for DHS front line employees so that they can continue to conduct critical operations along our borders; protect our nation's airports and seaports; disrupt the latest plots against the United States and our citizens; and respond to the spate of natural disasters our country has experienced.

"I am also pleased this bill significantly increases funding for critical grant programs, in marked contrast to the current year's inadequate levels. The bill also rejects the Administration's poorly articulated changes to the grant structure - - changes that have not been authorized. Specifically, I highlight funding for FEMA's State and Local grants are \$413 million above the fiscal year 2012 level, and both fire grants and emergency management performance grants are funded at the requested levels.

"Equally important, the bill provides improved funding for research and development efforts. The bill contains sufficient resources for the Science and Technology Directorate to fund all high priority research efforts and some new projects as well. Unfortunately, while the bill appears to fully fund the Administration's request for S&T, in reality it includes \$75 million for construction of the National Bio and Agro-defense Facility, which the Administration did not request, in effect reducing funds for R&D efforts. Although I support the eventual construction of this facility, I must question the inclusion of \$75 million in limited resources for a project that the President did not request, that remains under review by two National Academy of Sciences teams, and that

has unobligated prior year appropriations to draw upon.

"The bill also increases funding for critical Coast Guard, as well as Air and Marine, acquisitions, to recapitalize aging assets while also bringing the latest aviation and vessel technologies on line to ensure these personnel can operate more effectively.

"Finally, the bill includes a substantial increase for cyber security protective efforts to continuously monitor and detect intrusions to our Federal networks from foreign espionage and cyberattacks. "The bill contains some ill-advised immigration provisions. Unnecessary and wasteful statutory floors are set for a variety of programs, such as an arbitrary minimum of 34,000 detention beds, a required level of spending for the seriously flawed 287(g) program, and an inflexible amount for worksite enforcement. Including these types of spending floors and mandates in bill language limits the Department's flexibility to respond decisively to immigration challenges and is likely to waste taxpayer dollars for no good reason.

"I also object to the three abortion General Provisions that were added in Full Committee. We all know that abortion is a politically charged subject. Numerous restrictions in law have already conditioned and qualified reproductive choice in practice. Among those are prohibitions on the use of federal funds for abortion procedures, which are specifically applied to Immigration and Customs Enforcement and the Department of Homeland Security by President Obama's Executive Order 13535, issued on March 24th, 2010. Until now, this bill has never touched on the topic of abortion because it is not relevant to the Department of Homeland Security and falls far outside the lines of jurisdiction of this Subcommittee. These provisions are redundant, will accomplish nothing, and make no changes whatsoever in current law or procedures. They seem designed mainly for political effect, but political effect cuts both ways. These abortion riders, while unnecessary, are inflammatory and divisive. They should not be included in the final bill.

"Finally, I also strongly disagree with provisions that withhold: 60 percent of all funding provided to the Secretary, Under Secretary, Chief Financial Officer; 10 percent of all funding for salaries and expenses of Customs and Border Protection personnel; and about 37 percent for Coast Guard Headquarters Directorate until they submit numerous reports required by statute. Even more egregiously, these withholdings are coupled with a provision that prevents the Secretary, Deputy Secretary, Commandant, and Vice Commandant from using their aircraft until certain key reports are received by the Committee! These constraints are excessive and will prevent DHS employees from effectively doing their jobs. I support efforts to hold the Department accountable, and in fact we included carefully calibrated and targeted withholdings in this bill when I was Chairman. But excessive and unrealistic limitations detract from the Subcommittee's credibility and are likely to be counterproductive.

"Mr. Chairman, I will close by thanking the hard working professional staff which has helped to craft this bill and assisted the Subcommittee in a bipartisan manner over the course of the year: Ben Nicholson, Kathy Kraninger, Jeff Ashford, Kris Mallard, Joe Croce, Miles Taylor, and Cornell Teague on the Majority side, and of course, Stephanie Gupta on our side of the aisle and Justin Wein from my office.

"In closing, I want to reiterate my appreciation for the Chairman for his efforts to work with us on many issues to sustain our frontline, federal homeland security operations. Mr. Chairman, I reserve the balance of my time."

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