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## H.R. 2892 — FY 2010 Homeland Security Appropriations Act

### BY THE NUMBERS:

*In Millions of Dollars*

	FY09	FY10 Request	FY10 Committee	Cmte v. Request	Cmte v. FY09
Appropriations	42,164	42,838	42,406	-432	242
<i>Emergency Approps</i>	2,855	0	0	0	-2,855
<b>TOTAL</b>	45,019	42,838	42,406	-432	-2,613

**Excluding Emergency Appropriations, the Committee Bill is:**

- **\$432 million or 1.0% less than the request**
- **\$242 million or 0.6% more than last year**

**Spending Discussion:** The bill provides \$242 million (0.6%) more than FY 2009 for Homeland Security Appropriations. Earlier this month, the House Appropriations Committee set the 302(b) allocations for the twelve appropriations bills. Under Chairman Obey’s FY 2010 spending plan, all twelve bills will receive spending increases, with a total spending level of \$1,089.6 trillion—an increase of \$76 billion or 7.6% compared to last year.

**Order of Business:** H.R. 2892 is scheduled to be considered under a (likely structured) rule that has yet to be reported. The RSC will summarize any amendments made in order under the rule in a separate document.

### **Earmarks:**

The [Committee Report](#) lists more than 150 congressionally-directed earmarks.

### **Items of Note:**

**Office of the Secretary:** \$147.4 million—\$24.0 million or 19.4% above last year, and \$13.3 million or 8.3% below the President’s request.

**Border Security Fencing, Infrastructure, and Technology (BSFIT):** \$732 million—\$43 million or 5.6% less than last year, and \$47.5 million or 6.1% less than the request.

**Transportation Security Administration (TSA):** \$5.3 billion—\$926.9 million or 21.2% more than last year, and \$73.1 million or 1.9% less than the request.

**Coast Guard:** \$9.7 billion—\$365.8 million or 3.9% more than last year, and \$2.2 million or about the same as the request.

**FEMA:** \$7.4 billion—\$381.2 million or 5.5% more than last year, and \$118.3 million or 1.9% more than the request.

**Guantanamo Bay:** Requires, as part of any plan regarding the proposed disposition of any individual who is detained (as of April 30, 2009) at Naval Station, Guantanamo Bay, Cuba, that the Secretary of Homeland Secretary conduct a threat assessment of each individual who is proposed to be transferred to the continental U.S., Alaska, Hawaii, the District of Columbia, or the U.S. Territories that:

- determines the risk that the individual might instigate an act of terrorism within the continental United States, Alaska, Hawaii, the District of Columbia, or the U.S. territories; and
- determines the risk that the individual might advocate, coerce, or incite violent extremism, ideologically motivated criminal activity, or acts of terrorism, among inmate populations at incarceration facilities within the continental United States, Alaska, Hawaii, the District of Columbia, or the U.S. territories if the individual were transferred to such a facility.

**Outsourcing/A-76 Activities:** Prohibits funds from being used under OMB Circular A-76 (governing the federal government’s outsourcing policies) to implement any pending or future competitive sourcing for work performed by employees of the U.S. Citizenship and Immigration Services or of the Coast Guard National Vessel Documentation Center. In other words, this provision would prohibit federal employees from having to compete with private-sector entities for certain non-inherently governmental functions of the agencies (like food service and lawn-mowing).

**Buy America Act:** Prohibits funding in the bill from being used in contravention of the Buy America Act.

**Butane Lighters:** Requires the Assistant Secretary of Homeland Security to reverse a “determination that butane lighters are not a significant threat to civil aviation security” in order to receive certain funding in the bill.

**Horse Slaughter Provision:** Prohibits funds from being used to “destroy or put out to pasture any horse or other equine belonging to the federal government that has become unfit for service, unless the trainer or handler is first given the option to take possession

of the equine through an adoption program that has safeguards against slaughter and inhumane treatment.”

**Funding Summaries:**

*In Thousands*

	<b>FY09 Enacted</b>	<b>FY09 Request</b>	<b>FY10 Cmte</b>	<b>Cmte vs. FY09</b>	<b>Cmte vs Request</b>	<b>% vs. FY09</b>	<b>% vs. Request</b>
Departmental Operations	1,170,026	1,260,018	1,124,796	-45,230	-135,222	-3.8%	-10.7%
Office of the Fed. Coord. For Gulf Coast	1,900	2,000	2,000	100	----	5.3%	----
Inspector General	98,513	127,874	111,874	13,361	-16,000	13.6%	-12.5%
Immigration and Customs Enforcement	5,308,210	5,776,000	5,746,311	438,101	-29,689	8.3%	-0.5%
Aviation Security	2,434,518	3,210,850	3,165,740	731,222	-45,110	30.0%	-1.4%
Transportation Security Administration	4,367,358	5,395,956	5,294,246	926,888	-101,710	21.2%	-1.9%
U.S. Coast Guard	9,361,052	9,728,988	9,726,823	365,771	-2,165	3.9%	0.0%
U.S. Secret Service	1,412,954	1,489,584	1,461,384	48,430	-28,200	3.4%	-1.9%
Firefighter Assistance Grants	775,000	----	800,000	-185,000	800,000	-23.9%	NA
U.S. Fire Administration	44,979	45,588	45,588	609	----	1.4%	----
Total, Preparedness	8,303,360	8,691,755	8,777,241	473,881	85,486	5.7%	1.0%
Total, FEMA	6,987,906	7,234,818	7,369,118	381,212	134,300	5.5%	1.9%
Citizenship and Immigration Services	100,000	112,000	112,000	12,000	----	12.0%	----
Science and Technology	932,587	968,391	967,556	34,969	-835	3.7%	0.0%
Domestic Nuclear Detection Office	514,191	366,136	366,136	-148,055	----	-28.8%	----

**Committee Action:** H.R. 2892 was reported out of the House Appropriations Committee as an original measure on June 17, 2009 by voice vote.

**Cost to Taxpayers:** The bill appropriates a total of \$42.4 billion in FY 2010.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill increases spending for programs in the FY 2010 Homeland Security bill by \$242 million or 0.6%.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No CBO score is available listing any possible mandates.

**Constitutional Authority:** The House Appropriations Committee cited Clause 7 of Section 9 of Article I of the Constitution (the power of Congress to appropriate money). The committee did not cite constitutional authority for the various spending items themselves.

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