

**Statement by Rep. Bennie G. Thompson (D-MS)**

**Ranking Member, House Committee on Homeland Security**

**In Opposition to H.R. 5855, the “Department of Homeland Security  
Appropriations Act for Fiscal Year 2013”**

*June 8, 2012*

I rise today to express my opposition to H.R. 5855, the “Department of Homeland Security Appropriations Act for Fiscal Year 2013.” The need to find savings in the Federal budget must not be at the expense of homeland security. I am troubled that H.R. 5855 provides \$39.1 billion for the Department of Homeland Security’s (DHS) activities, which is \$393 million below what the President sought for the Department to continue to carry out its homeland and non-homeland security missions and \$484 million below what was provided for Fiscal Year (FY) 2012.

H.R. 5855 also sends a troubling message about the Majority’s commitment to honoring its promises. Last year, Democrats and Republicans came together to pass the Budget Control Act. Both sides made sacrifices to achieve a compromise that would keep the government running and address Federal budgetary challenges. H.R. 5855 reneges on the commitments Republicans made last year by reducing the funding allocation for the Department of Homeland Security beyond what is required by statute and below the amount the Department has stated it needs. This “bait and switch” is unjustified and undermines the security of our Nation.

As a result of the Republicans’ misguided priorities, several programs critical to our national security are underfunded. For example, H.R. 5855 provides \$45.4 million in funding for Infrastructure Compliance Programs for FY 2013, which is about \$29 million below the President’s request and \$48 million below the FY 2012 enacted level. Under H.R. 5855, DHS will not have resources necessary to implement the long-awaited final rule for ammonium nitrate or fully-implement the Chemical Facility Anti-Terrorism Standards (CFATS) program. As the author of the originating legislation for the ammonium nitrate security program and co-author of the originating legislation for the CFATS program, I strongly believe that these programs are at a crossroads and support is essential for them to realize Congressional intent and address vulnerabilities that put ordinary Americans at risk.

H.R. 5855 also misses a critical opportunity to put a struggling border security and immigration enforcement program on a path to success. It rejects the President’s proposal to transfer the US-VISIT program to Customs and Border Protection and Immigration and Customs Enforcement and, instead, sets up a new bureaucratic office – the “Office of Biometric Identity Management” within the National Protection and Programs Directorate, where it has languished for nearly a decade. The terrorist attacks of September 11, 2001 highlighted the need to identify and remove visitors to the U.S. who are legally admitted to this country but fail to depart when their visas

expire, as four of the 9/11 terrorists were overstays. In response, Congress enacted the USA PATRIOT Act of 2001, which directed the deployment of an entry-exit system “with all deliberate speed and as expeditiously as practicable.” While the US-VISIT program has begun to capture biometric data of foreign travelers entering the U.S. at air, land, and sea ports, it has repeatedly failed to make progress in deploying a biometric exit system for travelers departing the U.S. This failure to fully implement the program has undermined DHS’s ability to verify with certainty which travelers have departed this country. Inexplicably, H.R. 5855 rejects aligning this program with the agencies responsible for border and immigration enforcement, thereby sending the message that the House is not serious about tackling the alien overstay problem.

With respect to homeland security grants, I would note that H.R. 5855 provides \$1.7 billion for State, local, and tribal grant programs, which is \$412 million above FY 2012, but still falls short of where it needs to be. In FY 2010 and 2011, Congress recognized the first responders and first preventers on the State, local and tribal levels and provided \$3 billion and \$2.23 billion respectively. And, like last year, this bill punts responsibility for allocating funding to the 12 targeted grant programs to the Secretary of Homeland Security. Last month, FEMA released the National Preparedness Report. The report found a direct link between grant investments and the development of preparedness capabilities. In areas that have seen substantial grant investment – from emergency communications to medical surge capabilities to emergency planning – State governments reported measurably improved preparedness capabilities. The report also found that in areas where we have not invested, we are less prepared. The report makes clear: targeted homeland security grants work. I fear that if we continue to fail to fund these important grant programs adequately, capabilities that we have spent over a decade developing will be lost.

Finally, I am disturbed that H.R. 5855 is full of political sweeteners intended to rally support from the extreme right-wing faction of the Republican party. From slashing funding for the Transportation Security Agency, to increasing funding for the 287(g) program, to abortion limitations in ICE detention facilities, H.R. 5855 is full of politically-driven provisions that distract from pressing homeland security matters and divert resources from addressing them.

I recognize that the appropriators were faced with a difficult task in drafting this spending bill, and I appreciate the efforts of Chairman Aderholt and Ranking Member Price to draft a bill to adequately fund the Department of Homeland Security’s activities in FY 2013. The funding allocation being what it is, however, this bill could never fully meet our nation’s homeland security needs. Therefore, I must oppose H.R. 5855.