



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

THE DIRECTOR

July 13, 2015

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Rogers:

On July 9, 2015, the Homeland Security Subcommittee considered the fiscal year (FY) 2016 Homeland Security Appropriations bill. The Administration supports investments in critical homeland security research and development. However, we have a number of serious concerns about this legislation, which would underfund important investments and includes highly problematic ideological riders. In advance of Full Committee consideration of the Subcommittee bill, I would like to take this opportunity to share some of these concerns with you.

The Homeland Security Appropriations bill is the twelfth appropriations bill being considered under the congressional Republicans' 2016 budget framework, which would lock in sequestration funding levels for FY 2016. Sequestration was never intended to take effect: rather, it was supposed to threaten such drastic cuts to both defense and non-defense funding that policymakers would be motivated to come to the table and reduce the deficit through smart, balanced reforms. The Republicans' 2016 budget framework would bring base discretionary funding for both non-defense and defense to the lowest levels in a decade, adjusted for inflation. Compared to the President's Budget, the cuts would result in tens of thousands of the Nation's most vulnerable children losing access to Head Start, millions fewer workers receiving job training and employment services, and drastic cuts to scientific research awards and grants, along with other impacts that would hurt the economy, the middle class, and Americans working hard to reach the middle class.

As this bill demonstrates, sequestration funding levels would also put our national security at unnecessary risk, not only through pressures on defense spending, but also through pressures on State, USAID, Homeland Security, and other non-defense programs that help keep us safe. More broadly, the strength of our economy and the security of our Nation are linked. That is why the President has been clear that he is not willing to lock in sequestration going forward, nor will he accept fixes to defense without also fixing non-defense. The President's Budget would reverse sequestration and replace the savings with commonsense spending and tax reforms. It brings middle-class economics into the 21st Century and makes the critical investments needed to support our national security and accelerate and sustain economic growth in the long run, including in research, education, training, and infrastructure.

The inadequate overall funding levels in the Republicans' 2016 budget framework, along with misplaced priorities, cause a number of problems with the Subcommittee bill specifically. Overall, according to the Subcommittee, this bill reduces funding by about \$2.1 billion, or 5 percent, below the President's Budget. At these levels, the bill makes dangerous tradeoffs that would damage border security, weaken Federal emergency response, and limit national preparedness for future threats and hazards.

According to the Subcommittee, the bill does not fund the requested increase in the Immigration and Customs Enforcement (ICE) Alternatives to Detention (ATD) program, which provides supervision for non-detained individuals to ensure attendance of immigration court proceedings. The President's Budget request of \$122 million would raise ATD capacity to an estimated 53,000 individuals per day and would help reduce the number of *in absentia* removal orders, enabling ICE to more easily track and remove those ordered removed. The Administration encourages the House to join the Senate in supporting this key facet of the President's border security strategy.

The bill proposes a \$1.3 billion reduction to disaster relief funding balances, which would degrade the Federal Emergency Management Agency's (FEMA) capacity to support response to emergency events. FEMA responded to over 50 major disasters and emergencies in 2014 alone. Reductions of the magnitude proposed in the Subcommittee bill go against a long-standing bipartisan agreement to protect FEMA's budget for disaster readiness and emergency response. Moreover, this action only increases the likelihood of needing future supplemental appropriations to respond to unanticipated hazards, which could result in serious delays of critical assistance for future incidents.

The bill does not provide for the necessary DHS Headquarters Consolidation investment at St. Elizabeths. A consolidated headquarters would allow DHS to enhance mission effectiveness, promote its Unity of Effort initiative, reduce long-term rent costs to the maximum extent possible, and improve utilization of space. As reflected in the FY 2016 Budget request, DHS, in coordination with the General Services Administration and OMB, reevaluated the St. Elizabeths plan of record and established the Enhanced Plan, which reduces the overall footprint and accelerates delivery timeline in order to save taxpayers hundreds of millions of dollars in construction and other costs. The lack of funding to implement the Enhanced Plan would push the schedule back and increase costs due to increased labor and time costs. This is a critical investment that would ultimately reduce costs and increase efficiencies across DHS.

The bill also fails to incorporate the Administration's proposed restructuring of FEMA's grant programs, instead maintaining the current stove-piped structure of multiple and duplicative stand-alone programs. The President's proposed National Preparedness Grant Program would consolidate and coordinate multiple streams of funding for State and local communities. Enabling stronger efficiencies in this program supports State and community resilience by allowing States and communities to better protect against, respond to, and recover from all types of disasters and emergencies, including natural disasters, disease pandemics, chemical spills and other manmade hazards, terrorist attacks, and cyber-attacks. It is more important than ever to better target available funds toward building and sustaining capabilities that address the types of high consequence events that pose the greatest risk to security. Consolidating programs would

reduce the tendency for duplicative investments and redundant administrative efforts, which further burden grantees with overlapping grant management requirements undertaken to award, execute, and monitor various overlapping sources of funding. Instead, the Subcommittee bill continues to embrace a grant framework that limits development of coordinated national preparedness.

Lastly, the bill does not provide sufficient funding to support the President's priorities that will make the Nation more resilient to the effects of climate change. The Subcommittee bill provides a significant reduction to the President's proposed budget of \$400 million to support FEMA's flood risk mapping efforts, which helps communities and businesses better understand what areas pose flood risks and how they can prepare for those risks. The bill also seriously underfunds FEMA's Pre-Disaster Mitigation Grant Program, affecting communities' ability to mitigate risks through planning, facilities hardening, and nonstructural risk reduction measures such as buyouts and elevation of structures. Studies on mitigation activities conclude that Americans save as much as \$4 for every dollar invested in pre-disaster mitigation.

The bill also includes highly ideological riders. These include provisions related to the expanded Deferred Action for Childhood Arrivals and the newly proposed Deferred Action for Parents of Americans and Lawful Permanent Residents policies, as well as a provision that prohibits funds to be used to allow property confiscated by the Cuban Government to enter the United States.

The Administration believes that the Congress should consider appropriations bills free of ideological provisions. The inclusion of these provisions threatens to undermine an orderly appropriations process.

As your Committee takes up the Homeland Security Subcommittee bill, we look forward to working with you to address these concerns. More broadly, we look forward to working with the Congress to reverse sequestration for defense and non-defense priorities, and offset the cost with commonsense spending and tax expenditure cuts, as Members of Congress from both parties have urged.

Sincerely,



Shaun Donovan
Director

Identical Letter Sent to The Honorable Nita Lowey