

DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS FOR 2013

HEARINGS
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED TWELFTH CONGRESS
SECOND SESSION

SUBCOMMITTEE ON HOMELAND SECURITY

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DEPARTMENT OF HOMELAND SECURITY

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**DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS FOR 2013**

THURSDAY, MARCH 8, 2012.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

WITNESS

JOHN MORTON, DIRECTOR, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, DEPARTMENT OF HOMELAND SECURITY

OPENING REMARKS: CHAIRMAN ADERHOLT

Mr. ADERHOLT. Good afternoon. The hearing is called to order. This afternoon, we welcome John Morton, Director of U.S. Immigration and Customs Enforcement as we consider the President's fiscal year 2013 budget request. Director, thank you for being here today. We appreciate you cooperating and rescheduling the hearing for today. I know it was difficult for you a couple of weeks ago. The same day that you were commemorating the death of Agent Jaime Zapata who made the ultimate sacrifice in the line of duty, you had another tragic event in Long Beach. And our sincere thoughts and prayers are with the families and also with the ICE family in general. But as I said to the Coast Guard who has mourned the loss of a helicopter crew, we don't let tragedy define us. We have to carry on.

So turning to the focus for today we have many concerns with the budget request to discuss. Last year I noted the progress that ICE had made as an organization in its relatively short history. Unfortunately, it is difficult to echo that sentiment. Hiding behind the excuse of limited resources, the current administration has sought to diminish and degrade ICE's immigration enforcement mission through the abuse of prosecutorial discretion, micro-management of frontline operations and interference in immigration proceedings. While our current fiscal crisis dictates that we all think and set priorities, it is not an excuse to ignore the law.

And immigration law matters to our national security, to our public safety, and to all of the men and women who come to the United States lawfully in search of the freedoms and opportunities that this Nation provides. The 9/11 Commission report repeatedly notes the importance of immigration enforcement to our national security and the weaknesses in our immigration system that contributed to our inability to defend against the 9/11 attacks.

In particular, the report states that before September 11, 2001, we had an immigration system that was not able to deliver on basic commitments, much less support counterterrorism. This Subcommittee took those words to heart. On a bipartisan basis over

the past 9 years, we have bolstered ICE's capabilities to enforce our Nation's immigration law. As the Secretary acknowledged in her testimony just a couple of weeks ago, Congress has funded every request for ICE since its creation. In fact, this Subcommittee has provided increases above the request to ensure strong support for frontline operations, such as Secure Communities and to maintain detention bed spaces.

Last year, ICE was funded at 34,000 beds, its highest level in history. Despite the heated discourse in the country over immigration reform, this Subcommittee has not been bogged down in those type of politics. Instead, we have focused on resources needed to enforce the letter of the law and meet ICE's vital mission. In short, the appropriations process should not be the forum for immigration reform. This administration, however, has too many times politicized ICE's operation and budget. From last year's policy memos expanding the use of prosecutorial discretion to the delay in Secure Communities deployed in my home State of Alabama to the 18 287(g) denials which were sent to State and local enforcement officials 3 weeks ago.

These actions constituted an abuse of the law, and quite honestly, this Subcommittee cannot tolerate it. Turning to the fiscal year 2013 request, we see more of the same disturbing trend, including proposed cuts to detention bed space by 1,200 beds, reducing the 287(g) program by 25 percent as well as contradicting claims about the appropriate use of alternatives to detention.

Further reducing the beds that ICE can afford, ICE announced new detention standards. These standards provide full service on-demand health care benefits for detainees and other niceties at an unknown, though likely significant, cost increase. While I strongly support ICE's efforts to ensure appropriate facilities and appropriate health care for detainees, we would question the necessity of these new standards. Again, I appreciate your appearing before us today. Thank you for explaining ICE's budget in a very open way this afternoon.

[The information follows:]

**The Honorable Robert Aderholt
Committee on Appropriations
Subcommittee on Homeland Security**

Opening Statement:

U.S. Immigration and Customs Enforcement FY 2012 Budget

**Witness:
Director Morton**

1:00 PM | Thursday | March 9, 2012 | 2359 RHOB

Hearing is called to order [*gentle strike of gavel*] –

This afternoon we welcome John Morton, Director of U.S. Immigration and Customs Enforcement (or ICE), as we consider the President’s Fiscal Year 2013 Budget Request. Director, we thank you for your cooperation in rescheduling the hearing for today.

I am sure it was difficult for you a couple weeks ago – on the same day you were commemorating the death of Agent Jaime (“HI-may”) Zapata, who made the ultimate sacrifice in the line of duty, you had to face another tragic event in Long Beach. Our sincere thoughts and prayers are with the ICE family during this difficult time.

INTRODUCTION

But as I just said to the Coast Guard who is mourning the loss of a helicopter crew, we do not let tragedy define us...we carry on...

So, turning to the focus for today...we have many concerns with the budget request to discuss. Last year, I noted the progress that ICE has made as an organization in its relatively short history.

Unfortunately, this year, I cannot echo that sentiment.

Hiding behind the excuse of “limited resources,” the current Administration has sought to diminish and degrade ICE’s immigration enforcement mission through abuse of prosecutorial discretion, micro-management of frontline operations, and interference in immigration proceedings.

While our current fiscal crisis dictates that we all think and prioritize, it is not an excuse to ignore the law. And immigration law matters – to our national security, to our public safety, and to all of the men and women who come to the U.S. lawfully in search of the freedoms and opportunities our great Nation still provides.

9/11 COMMISSION

The 9/11 Commission Report repeatedly notes the importance of immigration enforcement to national security – and the weaknesses in our immigration system that contributed to our inability to defend against the 9/11 attacks.

Specifically, the Report states that before September 11th, 2001, we had “an immigration system not able to deliver on its basic commitments, much less support counterterrorism.”

FUNDING HISTORY

This Subcommittee took those words to heart. On a bi-partisan basis over the past 9 years, we have bolstered ICE’s capabilities to enforce our Nation’s immigration laws. As the Secretary acknowledged in her testimony a few weeks ago, Congress has funded every request for ICE since its creation. In fact, this Subcommittee has provided *increases* above the requests to ensure strong support of frontline operations, such as for Secure Communities and to maintain detention bed spaces. Last year, ICE was funded for 34,000 beds, its highest level in history.

Despite the heated discourse in the country over immigration enforcement and reform, this Subcommittee has not been bogged down in the politics.

Instead, we have focused on the resources needed to enforce the letter of the law and meet ICE's vital missions. In short, the appropriations process should not be the forum for immigration reform.

This Administration, however, *has* politicized ICE's operations and budget. From last year's policy memos expanding the use of prosecutorial discretion, to the delay in Secure Communities deployment in Alabama, to the eighteen 287(g) denials that were sent to State and local law enforcement three weeks ago.

⇒ These actions constitute an abuse of the law that this Subcommittee cannot tolerate.

Turning to the fiscal year 2013 request, we see more of the same disturbing trend: including proposed cuts to detention bed space by -1,200 beds and reducing the 287(g) program by -25%, as well as contradicting claims about the appropriate use of Alternatives to Detention.

Further reducing the beds ICE can afford, ICE announced new detention standards. These standards provide full service, on-demand health care benefits for detainees and other niceties at an unknown, though likely significant, cost increase. While I strongly support ICE's efforts to ensure *appropriate* facilities and *appropriate* health care for detainees, I question the necessity of these new standards.

CONCLUSION

I appreciate you appearing before us today and thank you in advance for your candor in explaining ICE's budget request for fiscal year 2013.

I would like to now recognize the Subcommittee's distinguished Ranking Member, Mr. Price, for his opening remarks.

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BUDGET

Mr. ADERHOLT. And at this point, I would like to recognize the Ranking Member of this Subcommittee, Mr. Price, for his opening remarks.

OPENING REMARKS: RANKING MEMBER PRICE

Mr. PRICE. Thank you, Mr. Chairman. Today we are happy to welcome back Assistant Secretary John Morton from the U.S. Immigration and Customs Enforcement, or ICE, to discuss his agency's budget request for the fiscal year 2013. At \$5.3 billion, this request is 4 percent lower than the current fiscal year. So, Mr. Assistant Secretary, like everybody else at DHS and throughout the government, you are being asked to do more with less this year. I, too, want to begin by expressing my sympathies to you for the ICE agents that were lost or injured on February 16, to the families, and to the ICE workforce. We give thanks for their brave service to the Nation, and we mourn this loss with you.

Assistant Secretary Morton, since you assumed the leadership of ICE, I have enjoyed our good working relationship. We share the goal of making our Nation's immigration enforcement policies as effective as possible despite the infirmities of a system we all recognize to be broken. From 2004 through 2011, Congress has more than doubled the number of deportation and immigration enforcement agents and has added more than 1,000 new criminal investigators during that same period, making ICE special agents the second largest group of Federal investigators after the FBI.

Just under your tenure, we have increased funding for ICE investigation activities by 13 percent, and ICE detention by 11 percent. Over the same period, we have significantly enhanced workplace enforcement efforts through employer audits and the expansion of E-Verify. And, you have also focused ICE's investigative and removal resources on individuals who pose the greatest danger to our communities; gang members, drug traffickers, weapons smugglers, and other serious criminals.

It was 5 years ago when this Subcommittee first brought to the Department's attention the large number of aliens convicted of serious crimes who were being turned back on to the streets, sometimes without ICE even knowing who they were. That was the result of a scatter-shot one-size-fits-all approach to immigration enforcement. So we acted on this. We enacted statutory language requiring ICE to devote a larger portion of its enforcement budget to criminals, and the results have been significant. ICE removals of criminal aliens have increased by 89 percent from fiscal year 2008. And criminals or other serious offenders now represent a majority of those who are removed from our country.

One major reason for this trend was the establishment of the Secure Communities program. As you know, the rapid rollout of Secure Communities has not been without its faults. And ICE could have done a better job of communicating the goals and scope of the program both to State and local jurisdictions and to immigrant communities. But overall, I have been impressed with the results of the program and pleased that ICE is continuing to refine it to address the concerns that have arisen. At the end of fiscal year

2011, 75 percent of undocumented individuals arrested or charged with crimes were being electronically screened. Over the past year, you have clarified the role that States and local jurisdictions play in the program. You have improved training and oversight of implementation. You have issued guidance to ICE field agents, attorneys, and immigration judges to ensure the program is meeting its stated goals. And recently, you appointed the first ever public advocate to handle all questions and complaints about immigration. There is more to be done. There is always more to be done.

I remain particularly concerned about the Department's lack of clarity on handling minor offenses such as traffic violations. DHS commissioned a task force to review and make recommendations on this issue last year. But to date, I have not seen decisions changed based on this task force's review. It will be critical for ICE to fully address these issues as the program moves toward full operational capacity nationwide. And I look forward to exploring how you intend to do this today.

BUDGET

Your budget request highlights many tough decisions you have had to make in these austere times. I applaud your proposal to reduce the 287(g) program, recognizing that Secure Communities will be implemented nationwide by the spring of 2013. I also support your requested increase of \$39.9 million for the alternatives to detention program. I have long pushed ICE to explore more cost effective and humane programs for detainees who pose no danger to society, rather than relying on expensive detention operations that must often be outsourced to private concerns. And I am intrigued by your proposal to transfer funding between immigration detention and the Alternatives to Detention program commensurate with the risk level that each detainee presents. This appears to be a prudent and cost effective concept and is consistent with other reforms ICE has pursued. Finally, I am curious about the administration's proposal to transfer \$17.6 million from US-VISIT to ICE so that your agency can better align your enforcement overstay mission with other DHS components. We may want to discuss that further as well.

I have some concerns about other areas of your 2013 request. The budget proposes significant reductions to mission support staff, personnel this Subcommittee has made a point of growing in recent years to free up your agents to focus on their critical enforcement missions, such as dismantling drug trafficking and human smuggling organizations along the southwest border. I also have concerns about the \$238 million in management and technical efficiencies you have been asked to absorb. Can we assume that a 5 percent efficiency reduction does not eliminate critical activities or does not defer our priority needs only to accrue greater costs down the road? Of course, such a course would be penny-wise and pound-foolish, despite budget pressures we are all facing. And we are going to want to have more details about the implications of these budget items.

Assistant Secretary Morton, we value the work ICE does day in and day out to keep our Nation secure and to enforce our immigration and customs laws. Many of your personnel operate in dan-

gerous areas, working every day to detect and deter threats to individuals and to the goods we rely on daily. It is a tough job with no margin for error. Your decisions have lasting consequences. We look forward to continuing to work with you, to help your agency fulfill its mission, beginning with this review of your fiscal year 2013 budget. Thank you, Mr. Chairman.

[The information follows:]

OPENING STATEMENT OF RANKING MEMBER DAVID PRICE
Immigration and Customs Enforcement FY2013 Budget Hearing
March 8, 2012 / 1:00 pm

Today we welcome back Assistant Secretary John Morton from U.S. Immigration and Customs Enforcement, or ICE, to discuss his agency's budget request for fiscal year 2013. At \$5.3 billion, this request is 4 percent lower than the current fiscal year. Mr. Assistant Secretary, like everybody else at DHS and throughout the government, you are being asked to do more with less this year.

First let me start by expressing my sympathies to you for ICE agents that were lost or injured on February 16th. To their families, we give thanks for their brave service to our nation, and mourn this loss with you.

Assistant Secretary Morton, since you assumed the leadership of ICE, I've enjoyed our good working relationship. We share the goal of making our nation's immigration enforcement policies as effective as possible despite the infirmities of a system we all recognize to be broken. From 2004 through 2011, Congress has more than doubled the number of deportation and immigration enforcement agents and has added more than 1,000 new criminal investigators during that same period, making ICE special agents the second largest group of Federal investigators after the FBI. Just under your tenure, we have increased funding for ICE investigation activities by 13 percent and ICE detention by 11 percent. And over the same period, we have significantly enhanced workplace enforcement efforts through employer audits and the expansion of e-Verify.

It also has included focusing ICE's investigative and removal resources on individuals who pose the greatest danger to our communities: gang members, drug traffickers, weapons smugglers, and other serious criminals. It was five years ago when this Subcommittee first brought to the Department's attention the large number of aliens convicted of serious crimes who were being turned back onto the streets, sometimes without ICE even knowing who they were - the result of a scattershot, one-size-fits-all approach to immigration enforcement.

We enacted statutory language requiring ICE to devote a larger portion of its enforcement budget to criminals, and the results have been significant: ICE removals of criminal aliens have increased by 89 percent from fiscal year 2008, and criminals or other serious offenders now represent a majority of those removed from the country.

One major reason for this trend was the establishment of the Secure Communities program. As you know, the rapid roll-out of Secure Communities has not been without its faults, and

ICE could have done a better job of communicating the goals and scope of the program both to state and local jurisdictions and to immigrant communities. But overall, I've been impressed with the results of the program and pleased that ICE is continuing to refine it to address the concerns that have arisen. At the end of fiscal year 2011, 75 percent of undocumented individuals arrested or charged with crimes were being electronically screened. Over the past year, you have clarified the role that states and local jurisdictions play in the program, improved training and oversight of its implementation, and issued guidance to ICE field agents, attorneys, and immigration judges to ensure the program is meeting its stated goals. And just last week, you appointed the first ever public advocate to handle all questions and complaints about immigration.

There is always more to be done, and I remain particularly concerned about the Department's lack of clarity on handling minor offenses such as traffic violations. DHS commissioned a task force to review and make recommendations on this issue last year, but to date I have seen no decisions or changes based on the task force's review. It will be critical for ICE to fully address these issues as the program moves toward full operational capacity nationwide, and I look forward to exploring how you intend to do so today.

Your budget request highlights many tough decisions you have had to make in these austere times. I applaud your proposal to reduce the 287(g) program, recognizing that Secure Communities will be implemented nationwide by the spring of 2013. I also support your requested increase of \$39.9 million for the Alternatives to Detention program. I have long pushed ICE to explore more cost-effective and humane programs for detainees who pose no danger to society, rather than relying on expensive detention operations that must often be outsourced to private companies. And I am intrigued by your proposal to transfer funding between immigration detention and the Alternatives to Detention program, commensurate with the risk level each detainee presents. This appears to be a prudent and cost-effective concept and is consistent with the other reforms ICE has pursued. Finally, I am curious about the Administration's proposal to transfer \$17.6 million from US Visit to ICE so that your agency can better align your enforcement overstay mission with other DHS components.

I do have concerns, however, about other areas of your 2013 request. The budget proposes significant reductions to mission support staff, personnel this Subcommittee has made a point of growing in recent years to free up your agents to focus on their critical enforcement missions, such as dismantling drug trafficking and human smuggling organizations along the Southwest Border. I also have concerns about the \$238 million in management and technical efficiencies you have been asked to absorb. Can we assume that a five percent efficiency reduction does not eliminate critical

activities or defer high-priority needs only to accrue greater costs down the road? Such a course could be penny-wise and pound-foolish, despite the budget pressures we're all facing.

Mr. Morton, we value the work ICE does day-in and day-out to keep our nation secure and enforce our immigration and customs laws. Many of your personnel operate in dangerous areas, working every day to detect and deter threats to individuals and to the goods we rely on daily. It is a tough job, with no margin for error. Your decisions have lasting consequences. We look forward to continuing to work with you to help your agency fulfill its mission, beginning with this review of your fiscal year 2013 budget.

Mr. ADERHOLT. Thank you, Mr. Price. Director Morton, we look forward to your comments, followed by questions by the panel.

OPENING REMARKS

Mr. MORTON. Thank you very much, Chairman Aderholt, Ranking Member Price, and Members of the Committee.

Let me start by thanking you all for the bipartisan and consistent support we have had from this Subcommittee. As both the Chairman and Ranking Member have noted, we have received steady appropriations from this Subcommittee, and I am very appreciative of it. Despite the occasional difference of opinion on a given matter, the members of this Subcommittee have always been strong supporters of ICE, and the record enforcement levels we have achieved these past 3 years are a direct result. I also want to note the steady leadership of this subcommittee. I have found both Chairman Aderholt and former Chairman Price to be fair and thoughtful, and I commend them both for this approach.

As has been noted already, since our creation in 2003, we have become the principal investigative arm of the Department of Homeland Security and the second largest investigative agency in the Federal Government, and we now have more than 20,000 employees in all 50 States and 47 countries overseas. Our core investigative functions are carried out by our Office of Homeland Security Investigations, or HSI, and our immigration enforcement functions by the Office of Enforcement and Removal Operations [ERO]. The 7,000 special agents of HSI carried out 41,000 criminal arrests last year across a wide variety of criminal offenses, such as drug and weapons smuggling, trade and IP crimes, child pornography, money laundering, and sex trafficking. And the over 6,000 officers and agents of ERO removed 396,000 people, including a record 216,000 criminal offenders.

As has been noted, the President's budget for fiscal year 2013 represents a 4-percent reduction over what was enacted for fiscal year 2012. The request seeks to maintain line operations while simultaneously addressing the need to reduce Federal spending. The request balances several enhancements against program reductions and agency efficiencies. The main enhancements are \$40 million to expand the alternatives to detention program, \$18 million to accomplish the transfer of the analytical functions for visa overstays from US-VISIT to ICE, and \$31 million to continue modernization of various mission-critical IT systems, also a modest enhancement for an ICE-wide collocation strategy.

Recognizing the top-line constraints that we all live under, the request also includes \$354 million in program reductions and efficiencies, more than 6 percent of our total budget authority. The key reductions from the programs are \$41 million from Secure Communities as we complete nationwide deployment by 2013, \$53 million from the proposed reduction in the average daily population of the detained alien population to 32,800, and \$17 million from a realignment of the 287(g) program. An additional \$238 million will come from efficiencies and administrative spending, IT operations and maintenance and a reduction of approximately 200 mission support FTEs, as Mr. Price has noted.

We think that this budget, while posing some significant challenges in terms of the efficiencies, will still support strong line operations and immigration enforcement results that are similar to those that we have achieved to date. In particular, we will be able to achieve nationwide deployment of Secure Communities, a program that this subcommittee created and one I continue to believe is one of the great reforms in recent immigration enforcement history.

We also believe that we can make the Alternatives to Detention program work, work in a way that actually achieves removals at a reduced cost, while at the same time, maintaining basic public safety. I would like to note that the increase in ATD is dependent on expedited consideration of ATD cases by the Department of Justice. And we intend to work closely with the Department of Justice to achieve the efficiencies that we would need. And we would also like the Committee to allow us to reprogram ATD funds for hard detention purposes if more than 32,800 beds were, in fact, needed during the fiscal year.

And with that, Mr. Chairman, I will close my opening remarks, take any questions that you may have. But I would just like to add a note of personal thanks to the committee for rescheduling the original hearing. Obviously it was under circumstances that I wish had not existed. But nonetheless, I appreciate the permission and gesture on the Committee's part.

[The information follows:]



U.S. Immigration and Customs Enforcement

STATEMENT
OF
JOHN MORTON

DIRECTOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
DEPARTMENT OF HOMELAND SECURITY

REGARDING A HEARING ON
"U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
FISCAL YEAR 2013 BUDGET REQUEST"

BEFORE THE
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON HOMELAND SECURITY

Thursday, March 8, 2012 – 1 p.m.

INTRODUCTION

Chairman Aderholt, Ranking Member Price, and distinguished Members of the Subcommittee:

I appear before you today to present the President's Fiscal Year (FY) 2013 budget request for U.S. Immigration and Customs Enforcement (ICE). I look forward to discussing our priorities for the upcoming fiscal year and our efforts to ensure the most efficient and effective use of those resources during this time of fiscal austerity.

First, let me begin by thanking this Committee for the support you have provided ICE since its establishment. Created in 2003, through a merger of the U.S. Customs Service and the Immigration and Naturalization Service, ICE is now the principal investigative arm of the U.S. Department of Homeland Security (DHS) and the second largest investigative agency in the Federal government. ICE has more than 20,000 employees in all 50 states and 47 foreign countries and the most expansive investigative authority in DHS.

ICE identifies, apprehends, and removes criminal and other removable aliens from the United States and dismantles terrorist and criminal organizations that exploit our borders. The agency carries out its mission through two principal operating components: Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO).

HSI's 7,000 criminal investigators target transnational criminal enterprises seeking to exploit America's legitimate trade, travel, and financial systems, and enforce customs and immigration laws at and beyond our nation's borders. HSI leads the agency's visa security activities to identify potential terrorist and criminal threats before they reach the United States; the "Illicit Pathways Attack Strategy" to identify and dismantle human, narcotic, and weapons smuggling routes; Transnational Criminal Investigative Units of vetted foreign law enforcement partners that extend ICE's effectiveness abroad; and worksite enforcement to ensure employers maintain a legal workforce and face penalties if they knowingly violate the law.

Last year, HSI arrested over 50,000 individuals. These arrests included 31,300 criminal arrests and 18,800 administrative arrests in cases involving counterterrorism and counter-proliferation, intellectual property violations, child sex tourism and exploitation, human trafficking, immigration fraud, illegal employment offenses, and gang investigations.

ERO enforces the nation's civil immigration laws in a manner that best promotes public safety, border security, and the integrity of the immigration system. ERO does this by making its highest priority the removal of criminal aliens and those who pose a threat to our communities. In FY 2011, ERO removed nearly 400,000 individuals, of whom 55 percent or over 216,000 were convicted criminal aliens. Also, as of January 29, 2012, ERO deployed the Secure Communities (SC) program to 592 new jurisdictions in FY 2012 for a total of 2,187 jurisdictions, or an estimated 77% of the U.S. illegal immigrant population. The National Fugitive Operations Program arrested 40,102 fugitives in FY 2011, a 12 percent increase over FY 2010.

Today, I will first explain the contours of ICE's budget request, and then give brief explanations of some of the many programs carried out by the men and women of ICE that make it successful.

FISCAL YEAR 2013 BUDGET REQUEST

The President's FY 2013 budget request for ICE totals \$5.3 billion, which supports ICE's core enforcement mission while identifying substantial efficiencies and cost saving measures. Indeed, this request is four percent below the FY 2012 enacted budget level but does not sacrifice frontline operational capability; instead creating a more efficient and effective organization.

First, to ensure effective use of the resources appropriated by this Committee, the President's request includes funding to strengthen ICE's core frontline operations. The request also includes significant cost saving measures and efficiencies. In total, the request includes nearly \$237 million in cost savings from administrative efficiencies, such as vehicle, overtime, travel, professional service contract reductions, as well as a reduction to mission support staffing, allowing the agency to focus on frontline agency operations.

PREVENTING TERRORISM, ENHANCING SECURITY, AND SECURING OUR BORDERS

Last fiscal year, ICE's criminal investigators in ICE's HSI initiated nearly 45,700 new cases and made over 31,300 criminal arrests. Special agents seized \$561 million in currency and negotiable

instruments, 2.4 million pounds of narcotics and other dangerous drugs, and \$209 million worth of counterfeit goods.

ICE's FY 2013 budget request will strengthen efforts to target transnational criminal enterprises seeking to exploit America's legitimate trade, travel, and financial systems, and enforce customs and immigration laws at and beyond our nation's borders.

The request includes an enhancement of \$17.6 million for the transfer of Visa Overstay Analysis functions from US-VISIT to ICE to consolidate this work under one agency. The request also increases resources dedicated to commercial trade fraud investigations; funds to continue DHS' focus on worksite enforcement (promoting compliance with worksite-related laws through criminal prosecutions of egregious employers, Form I-9 inspections, civil fines, and debarment, as well as education and compliance tools); and continued enforcement of laws against illegal immigration and customs violations and disruption and dismantlement of transnational criminal threats facing the United States.

In addition, the Visa Security Program, as part of HSI, will use requested funds to continue to leverage IT solutions to increase ICE's efficiency in screening, vetting, and recording visa applications. ICE aims to have the capability to screen all visa applications and identify patterns and potential national security threats in process through technology and by leveraging the capabilities of our law enforcement and intelligence community partners.

National Security

ICE leads efforts in national security investigations through five interconnected programs that prevent criminals and terrorists from using our nation's immigration system to gain entry to the United States.

National Intellectual Property Rights and Commercial Fraud Investigations

Through the National Intellectual Property Rights Coordination Center (IPR Center), ICE leads efforts to stop intellectual property rights (IPR) and commercial fraud violations that threaten our

economic stability, impact the competitiveness of U.S. industry, and endanger public health and safety.

In FY 2011, ICE initiated 1,998 IP and commercial fraud investigations, made 686 arrests, obtained 421 indictments and had 353 convictions. In addition, ICE seized illegal goods with a combined manufacturer's suggested retail price of over \$480 million. Commercial fraud investigations resulted in the seizure of illegal goods with a combined domestic value of over \$26 million.

In FY 2013 and beyond, the IPR Center will increase its focus both domestically and internationally on strengthening bilateral partnerships, developing multilateral initiatives, building capacity, and conducting further outreach to industry. In the coming year, we will also target trade vulnerabilities and refocus interdiction and investigative efforts towards commercial fraud investigative areas such as anti-dumping and countervailing duty evasion, the illegal importation of textiles, schemes involving child labor, North American Free Trade Agreement (NAFTA) and other free trade agreement violations, and other illegal importation practices that negatively impact the U.S. economy and global trade.

Visa Security Program (VSP)

The VSP deploys ICE special agents to diplomatic posts worldwide to conduct visa security activities and to identify potential terrorists or criminal threats before they reach the United States. By working closely with the Department of State, this program enhances national security by providing an additional level of review of persons of special interest before they enter the United States. In FY 2013, ICE aims to have the capability to screen all visa applications and identify patterns and potential national security threats through technology and by leveraging the capabilities of our law enforcement and intelligence community partners.

Joint Terrorism Task Force (JTTF)

The JTTF is a joint counterterrorism partnership between U.S. law enforcement agencies. Since 2007, ICE special agents assigned to JTTFs have initiated 5,944 cases, resulting in approximately 3,310 arrests.

Counter Proliferation Investigations (CPI)

ICE leads the U.S. Government's efforts to prevent foreign adversaries from illegally obtaining U.S. military products and sensitive technology, including weapons of mass destruction and their components. In FY 2011, ICE initiated 1,505 new investigations into illicit procurement activities, made 532 criminal arrests, 92 administrative arrests, obtained 462 indictments, achieved 294 convictions, and made 1,246 seizures valued at \$20.4 million.

In 2010, ICE launched "Project Global Shield," a multilateral law enforcement effort aimed at combating the illicit cross-border diversion and trafficking of precursor chemicals used by terrorist and other criminal organizations to manufacture improvised explosive devices (IEDs) by monitoring their cross-border movements. Project Global Shield has led to the seizure of 61.12 metric tons of IED precursor chemicals and 31 arrests.

Looking ahead, the Administration is seeking to build upon ICE's long history as the government's lead agency on export enforcement. In November 2010, President Obama signed an Executive Order assigning ICE the duty of establishing the Export Enforcement Coordination Center (E2C2) to serve as the intelligence community's central coordination center for export investigations and to synchronize overlapping outreach programs. We anticipate E2C2 to be operational by the end of February, 2012.

Human Trafficking and Human Smuggling Investigations

In FY 2011, HSI in coordination with the Department of Justice and the Department of Labor launched the federal Anti-Trafficking Coordination Teams (ACTeams). The ACTeams will provide a coordination structure among federal enforcement agencies to eliminate duplication of effort and enhance capacity to identify, investigate and prosecute human trafficking offenses.

ICE will also continue working to prevent human trafficking and smuggling as part of DHS's "Blue Campaign"—an initiative to combat human trafficking through enhanced public awareness, victim protection, and law enforcement training and initiatives.

Child Exploitation and Traveling Child Sex Offender Investigations

ICE's "Operation Predator" focuses on the criminal prosecution of individuals who sexually exploit children via pornography, illicit travel, and trafficking. Since its launch in 2003, "Operation Predator" has resulted in over 24,500 criminal cases initiated, over 7,600 criminal arrests, and over 5,900 criminal convictions.

In FY 2012, ICE launched the ICE Child Exploitation Investigations Center (CEIC) as the central coordination and fusion point for all ICE efforts dedicated to combating the sexual exploitation of children. In addition, ICE formed the Victim Identification Program within the Child Exploitation Investigations Unit to enhance our ability to identify the victims depicted in the child pornographic images and videos. Concurrent with establishment of the CEIC, ICE is working to expand Operation Angel Watch, which is a computer system developed by ICE to identify and stop child predators who attempt to travel internationally to countries known as destinations for child sex tourism.

In FY 2013, ICE will continue to focus its efforts in child exploitation investigations on these core areas by increasing international coordination of child exploitation investigations and the identification of new techniques and technology used by offenders to sexually exploit children.

Transfer of US-VISIT to ICE

The FY 2013 budget request includes an increase of \$17.6 million for the transfer of visa overstay analysis functions from US-VISIT to ICE. After the transfer is complete, previously independent visa overstay analysis functions and visa overstay investigative functions will both be managed by ICE's HSI. Combining these functions under HSI will allow for improved coordination of overstay analysis with the investigative work that HSI already performs.

Ongoing Southwest Border Enforcement

In March 2009, the Administration launched the Southwest Border Initiative to bring unprecedented focus and intensity to Southwest border security, coupled with a reinvigorated, smart and effective approach to enforcing immigration laws in the interior of our country. In support of this initiative, ICE has targeted considerable resources at the Southwest border to interdict contraband, firearms,

ammunition, undeclared currency, stolen vehicles, human smuggling, transnational criminal organizations, tunnel detection and other border crime at and between points of entry (POEs) along the Southwest border. Under this initiative, ICE has doubled the personnel assigned to Border Enforcement Security Task Forces (BESTs), which bring together federal, state, local, territorial, tribal, and foreign law enforcement.

In FY 2010, BESTs made 2,196 criminal arrests and 1,135 administrative arrests; helped bring 1,193 indictments; helped secure 1,078 convictions; and seized 284,321 pounds of illegal drugs and \$17.4 million in U.S. currency and monetary instruments.

In FY 2010, ICE deployed special agents to locations in Mexico, including Tijuana and Monterey, and initiated 12,133 investigations along the Southwest border. In FY 2011, ICE initiated 12,700 investigations, an increase of four percent over FY 2009. ICE also established an office in Matamoros, staffed with two special agents. Additionally, with the aid of \$80 million provided in the 2010 Emergency Border Security Supplemental Appropriations Act, ICE has deployed approximately 250 special agents and intelligence analysts to the border. Indeed, ICE now has one quarter of all its special agents assigned to the Southwest border.

Worksite Enforcement

We are focused on smart and effective enforcement of our immigration laws, including making sure that employers have the tools they need to maintain a legal workforce and face penalties if they knowingly violate the law.

Employment opportunities remain a primary motivation for aliens seeking illegal entry into the United States. By focusing on employers that are willing to hire illegal workers, we can eliminate the incentive that leads illegal aliens to violate our nation's immigration laws. Since January 2009, ICE has audited more than 6,468 employers suspected of hiring illegal labor, debarred 521 companies and individuals, and imposed more than \$76.4 million in financial sanctions. This focus will continue this coming fiscal year.

We have also established the ICE Mutual Agreement between Government and Employers program (IMAGE) — designed to promote voluntary compliance, educate employers about best practices and

help companies train their employees to comply with the nation's immigration-related employment laws. Last year, ICE entered into IMAGE agreements with well-known companies, including Chick-fil-A, Smoothie King, Best Western, Toyota, Tysons Food, and Kelly Services, among others. These companies agree to use E-Verify, conduct self-audits, and submit to an ICE audit. In FY 2013, ICE will continue to expand IMAGE outreach nationwide and provide regional and local IMAGE training conferences to increase voluntary compliance among key employers.

Enforcement Beyond the Borders: International Partnerships

The illicit drugs, finances, and weapons that fund and arm criminal organizations are part of a complex, interconnected system of illicit pathways and transnational criminal organizations that span the globe. ICE's international operations and partnerships in the 47 countries in which we are present are an essential component to carrying out our mission overseas. HSI targets transnational criminal organizations at every critical phase in the illicit cycle: internationally, where the drugs are produced and the aliens originate; at our nation's physical border and ports of entry (POEs) where the transportation cells attempt to exploit America's legitimate trade, travel, and transportation systems; and in cities throughout the United States where criminal organizations earn substantial profits from the smuggling of aliens and illicit goods.

To strategically attack these illicit pathways and apprehend criminal elements before they reach our borders, ICE works to build partnerships with foreign law enforcement agencies in countries around the world in which criminal organizations operate.

Illicit Pathways Attack Strategy (IPAS)

Chief among these efforts is ICE's newly established IPAS. IPAS supports the Administration's Strategy to Combat Transnational Organized Crime, a program introduced in July 2011, which seeks to integrate Federal resources in order to combat transnational organized crime and related threats to national security while urging foreign partners to do the same.

As a key partner in this effort, ICE's IPAS is working to identify and dismantle high risk smuggling and trafficking routes, pathways, and integrated networks that support Transnational Organized Crime (TOC). ICE's IPAS will initially focus on combating human trafficking and smuggling.

Future iterations of the strategy will focus on transnational weapons trafficking, intellectual property theft, cybercrime, money laundering, and counter-proliferation.

Transnational Criminal Investigative Units (TCIUs)

ICE officials working overseas do not possess law enforcement or investigative authority in their host countries. ICE therefore must rely on units composed of vetted and trained host-country law enforcement officers who have the authority to investigate and enforce violations of law in their respective countries. These units are essential in enabling ICE to dismantle, disrupt, and prosecute transnational criminal organizations abroad. ICE currently maintains 12 of these vetted units – called TCIUs – worldwide.

Among their many successes in FY 2011, TCIUs in Mexico City, Colombia and Ecuador played a central role in Operation Pacific Rim, an ICE-led investigation that dismantled one of the most powerful and sophisticated bulk cash and drug smuggling super-cartels in the world. This operation seized \$174 million in currency, 3.8 tons of cocaine, and \$37 million in criminal forfeitures, and \$179 million in property.

ENFORCING AND ADMINISTERING OUR IMMIGRATION LAWS

ICE has worked to develop guidance to focus ICE's enforcement efforts on our highest priorities, namely aliens who pose dangers to national security or risks to public safety; recent illegal entrants; repeat violators of immigration law; and aliens who are fugitives from justice or otherwise obstruct immigration controls.

This approach has yielded results. In FY 2011, ERO removed nearly 400,000 individuals, of whom 55 percent or 216,698 were convicted criminal aliens. Also, as of January 29, 2012, ERO deployed the Secure Communities (SC) program to 592 new jurisdictions in FY 2012 for a total of 2,187 jurisdictions, and the National Fugitive Operations Program (NFOP) arrested 40,102 fugitives in FY 2011, resulting in a 12 percent increase over FY 2010.

The President's FY 2013 budget request will continue to focus on these priorities and strengthen ICE's mission to enforce and administer our immigration laws.

The request includes \$138.7 million to complete nationwide deployment of the Secure Communities program in FY 2013 and a realignment of \$22 million from Secure Communities to the Criminal Alien Program in order to support increased identifications generated by the full deployment of the Secure Communities program. Also, as ICE continues working to focus on priority cases and expand the use of expedited removals, the request includes \$39.9 million to expand the ATD program.

Secure Communities and the Criminal Alien Program

With this Committee's support, ICE created Secure Communities in 2008 to identify aliens quickly and accurately after they are arrested by a local law enforcement agency. Secure Communities is an important tool in ICE's efforts to focus its immigration enforcement resources on the highest-priority individuals who pose a threat to public safety or national security, as well as on other priority individuals.

We have expanded the program from 14 jurisdictions in 2008 to more than 2,100 today, including all jurisdictions along the Southwest border. In FY 2011 alone, Secure Communities screened 6.9 million fingerprints leading to more than 348,000 alien Automated Biometric Identification System matches. Of these identifications, 71,000 were individuals charged with or convicted of Level 1 offenses, which include violent offenses like murder, rape, and the sexual abuse of children.

For FY 2013, the President's budget requests \$138.7 million to complete Secure Communities' deployment nationwide. This request reflects the final year of the Secure Communities deployment as well as cost savings achieved through other efficiencies. With continued deployment to additional jurisdictions, ICE will be able to confirm the identification of an estimated 145,000 more aliens charged or convicted of crimes in FY 2013 than in FY 2011.

Tied with this reduction in Secure Communities funding is a realignment of \$22 million to the Criminal Alien Program (CAP) for FY 2013. These funds will cover the increased workload and daily activities of CAP and the Law Enforcement Support Center (LESC) that will come from full deployment of the Secure Communities program. CAP will work to ensure that those aliens identified as amenable to removal are placed into proceedings and receive a final order of removal

prior to their release from jail or prison— further decreasing the cost of detention to the Federal government.

While we continue to focus our resources on our key priorities, DHS is committed to ensuring the Secure Communities program respects civil rights and civil liberties. To that end, ICE is working closely with law enforcement agencies and stakeholders across the country to ensure the program operates in the most effective manner possible. We have issued guidance regarding the exercise of prosecutorial discretion in appropriate cases, including cases involving witnesses and victims of crime, and implemented enhanced training for State and local law enforcement regarding civil rights issues related to the program. We have also issued a new detainer form, which provides detainees with information in six-languages about how to contact DHS if they believe their civil rights or civil liberties are being violated, among other recent improvements.

Detention and Alternatives to Detention

The President's request provides funding for 32,800 detention beds. To ensure the most cost-effective use of Federal resources, the Budget includes flexibility to transfer funding between immigration detention and the ATD program, commensurate with the level of risk a detainee presents. Consistent with our stated enforcement priorities and recent policy guidance, ICE will continue to focus detention and removal resources on those individuals who have criminal convictions or fall under other priority categories. At the same time, ICE will enhance the effectiveness of ATD for low-risk aliens, monitoring them at a lower per-day cost than detention. ICE continues to work with the Department of Justice to find ways to ensure ATD is cost effective. Expanded use of this program ensures detention beds are available for aliens who pose a danger to national security or public safety.

For FY 2013, the budget request includes an enhancement of \$39.9 million to expand ATD participation.

*Detention and Removal Efficiencies*Realignment and Reduction of 287(g) Program

In light of the nationwide activation of the Secure Communities program, the Budget reduces the 287(g) program by \$17 million. The Secure Communities screening process is more consistent, efficient and cost effective in identifying and removing criminal and other priority aliens. To implement this reduction in 2013, ICE will begin by discontinuing the least productive 287(g) task force agreements in those jurisdictions where Secure Communities is already in place and will also suspend consideration of any requests for new 287(g) agreements.

Reduced Detention Bed Costs

As a result of improved cost accounting and other significant efficiencies, ICE is also keeping detention bed costs at FY 2012 rates. By closing the most expensive facilities, negotiating lower bed rates, and increasing the use of ICE Health Service Corps to deliver detainee healthcare, in FY 2013 ICE will maintain the FY 2012 rate of \$122.00 per day.

Efficient Removal Operations

Finally, this budget request will reduce non-mission critical spending by \$17.8 million through reducing professional service contracts and achieving administrative efficiencies in the Transportation and Removal Program. It will also streamline air removal operations by eliminating ICE's use of the more costly Justice Prisoner and Alien Transportation System.

MANAGEMENT

To support effective management of ICE's mission execution, I am maximizing efficiencies to get the most out of our resources and achieve long-term savings. The President's FY 2013 budget request includes several effective proposals to streamline ICE's management and administration.

Co-location of ICE Facilities

The President's request includes \$6.2 million to fund the fourth year of the ICE-wide co-location strategy to consolidate ICE personnel and operations to improve operational efficiency and achieve long-term cost savings. While consolidation of all ICE programs is the target of our co-location initiative, a tailored city-by-city solution that takes into account each city's unique situation is the most fiscally prudent approach. Therefore, the FY 2013 requested funds will be used to begin consolidating ICE's leased footprint in Phoenix, Arizona.

Automation and IT

To support mission critical IT systems, ICE is requesting funding for two automation modernization projects. At the same time, ICE is maintaining all other systems at current levels to support top line constraints and identifying significant efficiencies.

This request would fund a \$23 million enhancement to modernize existing TECS functions that are specific to ICE, including investigative case management, intelligence reporting and dissemination, and money laundering reporting and tracking. The request would also fund \$4 million towards the ENFORCE Alien Removal Module (EARM), which will provide data to state and local law enforcement to help identify, process, and detain immigration offenders. In addition, the requested funding will complete development of the EARM-EOIR system-to-system interface. The new interface will provide EOIR with real-time access to detainee case information in support of court-based activities and actions. Finally, the request includes \$3.5 million to fund initial development of an integrated electronic medical records system with basic core functionality for clinic support.

This budget request also includes \$29.4 million in efficiencies achieved by reducing ICE's IT operations and maintenance costs.

Efficient and Balanced Workforce

This request also includes \$38.6 million in efficiencies achieved by reducing mission support staffing levels by 193 FTE across all ICE programs, while maintaining frontline operational positions. This

reduction is a combined result of ICE's Balanced Workforce Strategy and an analysis of ICE's mission support delivery.

In addition, ICE is taking steps to ensure that it has the appropriate mix of federal and contract workers – putting in place rigorous review procedures to ensure that future contract actions do not increase our reliance on contractors – and coordinating continued workforce assessments.

CONCLUSION

Thank you again for the opportunity to testify today and for your ongoing support of ICE and its mission. I would be pleased to answer any question you have at this time.

**BIOGRAPHY OF JOHN MORTON
DIRECTOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**

John Morton was unanimously confirmed as the Director of Immigration and Customs Enforcement (ICE) by the U.S. Senate on May 12, 2009. ICE is the principal investigative arm of the U.S. Department of Homeland Security and the second largest investigative agency in the federal government. Created in 2003, the agency has a budget of \$5.7 billion dollars and more than 20,000 employees in offices in all 50 states and 47 foreign countries. The agency's primary mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade and immigration.

Prior to his appointment by the President, Mr. Morton spent 15 years at the Department of Justice. At the Department, Mr. Morton served in several positions including Assistant United States Attorney, Counsel to the Deputy Attorney General and Acting Deputy Assistant Attorney General of the Criminal Division.

During his tenure at ICE, Mr. Morton has strengthened ICE's investigative efforts, with a particular emphasis on border crimes, export controls, intellectual property enforcement and child exploitation. Mr. Morton has also sought to prioritize ICE's immigration enforcement efforts around the removal of criminal offenders, recent border violators, and those who ignore orders of removal or obtain immigration status by fraud.

SECURE COMMUNITIES

Mr. ADERHOLT. Thank you. And certainly we were glad to accommodate that. And like I said, our thoughts and prayers are with everyone who was there.

The first thing I want to ask about is Secure Communities. Secretary Napolitano was before the Subcommittee about 2 weeks ago, 2 or 3 weeks ago here in this room. And I asked her about Secured Communities deployment. As you know, it is delayed in Alabama. And my question was, why Alabama was different from Arizona and other States that had pending lawsuits against their pro immigration enforcement bills, these lawsuits that were currently on the books. Her reasoning was that the deployment was completed in Arizona before the Federal lawsuits were filed. But we went back and looked—the staff took a look at the filing dates of the lawsuits against Arizona and Utah.

And deployment had continued—deployment of Secure Communities had continued—after the lawsuits were filed. In Arizona, 3 months had passed. And I just wanted to see if you could clarify that for us and tell us a little bit about what the reasoning is there.

Mr. MORTON. Yes, Mr. Chairman. You are right. I think the Secretary misspoke as to the timing of the deployments, in that the principle that she wanted to state was the principle outlined in her letter to you of February 14, which is that the litigation in Alabama is unique in that it is the only place in which the Department of Justice has challenged the State law on constitutional grounds. And the two verification provisions in question, section 12 and section 18 of H.B. 56 were not enjoined. And on that basis, the Department believes that it would be imprudent to have full deployment of Secure Communities until the constitutional questions are fully resolved while not enjoined.

I would note that the 11th circuit, I believe, began consideration of the Alabama case this month. And the Supreme Court is due to take the Arizona litigation up in April. So I anticipate a resolution of this question once and for all on the constitutional level by the end of the year.

Mr. ADERHOLT. The letter from February 14 actually noted both of those issues. So if I understand you correctly, the lawsuit in Arizona and the other States has no constitutional questions involved there?

Mr. MORTON. No. The constitutional questions are raised there. The difference is that the verification provisions—Alabama is the only State in which the verification provisions were not enjoined by the Federal court.

Mr. ADERHOLT. When will Secure Communities be deployed in Alabama?

Mr. MORTON. My sense of it is, as soon as we have a ruling from the 11th Circuit and, I think, the corresponding ruling from the Supreme Court in the Arizona litigation. I anticipate that that will be some time by the end of the year. I obviously will have to see what the Supreme Court says. But I think ultimately, these issues will be resolved by the Supreme Court, and the 11th Circuit may, in fact, wait on its decision until the Supreme Court rules. But that, again, should be by the end of the year.

Mr. ADERHOLT. Secure Communities was implemented because of—in the words of ICE—because of the safety aspect of it. And certainly, we think Alabama should be just as safe as any other State. And knowing that ICE is ready to deploy and that the delay is bad for public safety and national security, it really doesn't make any sense. And to be honest with you, we are very disappointed in what you tell us here today.

DETENTION FACILITIES

Let me move on.

Great progress has been made in establishing and enforcing standards for detention facilities. I recognize that it is a significant management challenge, given the variety of facilities that ICE has responsibility for. At the same time, there is concern that the effort to ensure frontline officials meet these standards has resulted in escalating bureaucracy. Could you tell us what the role of various offices involved in setting detention standards is and how many have interactions with frontline officers and field-based managers?

Mr. MORTON. So we have an Office of Detention Policy and Planning that has led the charge for the last 3 years. The office looks a lot like an office that was in a Senate bill a few years back. And the main focus has been trying to create a set of uniform detention standards. And it came at a time when the agency was being very strongly criticized for a lack of uniformity, particularly with regard to medical care. We had a high number of deaths in 2004. There were 24 deaths in our custody. We have steadily worked those down. And so when the administration came in in 2009, creating uniform standards—again, with a heavy emphasis on medical care—was very important. We have done that through the Office of Detention Policy and Planning. We have our new detention standards.

This is a subject of frequent litigation for us. There are the separate requirements that are coming from the Prison Rape Elimination Act. We are also trying to address those in our standards. And it is a lot of work. It does cover a lot of different facilities, but we are trying, slowly but surely, to have a uniform set of standards where all of our detention facilities—there is a basic set of minimum standards that everybody receives.

SECURE COMMUNITIES TASK FORCE

Mr. ADERHOLT. My time has expired. Mr. Price.

Mr. PRICE. Thank you, Mr. Chairman. Let me continue, Assistant Secretary, with Secure Communities, this time focusing on the task force recommendations that I mentioned in my opening statement. The task force came out with its report in September of 2011. Some of the task force's recommendations include: withholding ICE enforcement action that would be based solely on minor traffic offenses; not including DUIs; ensuring the systematic exercise of prosecutorial discretion; and working with local law enforcement to implement the program in a manner that supports their community policing.

Now we have seen concrete developments on the prosecutorial discretion front recently. We haven't seen action taken on a number of the other recommendations made by the task force. I just

want to ask you specifically about two. The first has to do with this review of the treatment of minor traffic offenses. When can we expect further action on that front?

And then secondly, there are major recommendations regarding domestic violence, as you know. Last year, you issued a memo to ICE agents about protecting the victims, the victims of crimes, witnesses, civil rights plaintiffs, and so forth. That, of course, is a good first step. But we do continue to hear from advocates and from organizations that serve victims of domestic violence from around the country about concerns that sometimes victims are picked up by ICE through the Secure Communities after they are arrested in connection with a domestic disturbance where they were the victim. So what can you tell us about that? Where are you in the process of implementing the task force recommendations that the victims of domestic violence should not be subject to immigration enforcement actions and any additional steps you are taking to address concerns over the victims of domestic violence?

Mr. MORTON. Well, on the question of minor traffic offenses, I think you will see something from us shortly, Mr. Price. I know it has been somewhat longer in the making than we had anticipated. The real challenge there is deciding what offenses are appropriate for immediate initiation of removal proceedings and what minor offenses should wait for a conviction. And it is not simply a question of minor traffic offenses because we are dealing with 50 different State criminal regimes. There are a number of very, very minor offenses that in some States are a criminal offense and in others are just an infraction or an administrative offense. But I think you will see something from us shortly, and I think you will see a full response to all of the task force's recommendations here shortly, I would say, within the month.

DOMESTIC VIOLENCE

On the question of domestic violence, as you noted, we have put out our memorandum. I am not aware of any cases coming to our attention since we have put that out. If you are aware of any specific concerns, if your staff is aware of any specific concerns, we would be happy to take a look into them. But I will tell you, just from my own knowledge, we have not received any in quite some time.

Mr. PRICE. Well, we all know that it doesn't take more than a few incidents to start the conversations going around the country and the concerns being kind of contagious in the immigrant community. I am sure these are based on relatively few cases. On the other hand, to the extent you not only can deal with the core problem but also deal with the perception and communicate in a way that indicates your intentions, I think that is something you should think about because I can tell you, these fears and these rumors are still out there.

Mr. MORTON. I think on the question of principle, we are in complete agreement. And I take your point. Your point goes to even Secure Communities more generally. I am a huge advocate of the program. I think it is one of the biggest reforms. And I am very open in recognizing that we wouldn't have done Secure Communities had it not been for some prodding from this subcommittee. And I

think there is a lot of misinformation out there about how Secure Communities works and who it picks up. Much of that is the agency's fault. There was poor communication in those early days.

So one of the things that we have got to do over and over and over again is make it clear how the program works and make clear all the various policies that we have out there, addressing things like domestic violence victims, victims in general, witnesses in general and demonstrate to people that the concerns that have been raised either are not, in fact, true or are being addressed and are being addressed in a thoughtful way. That is part of the reason we have the public advocate going around receiving complaints and concerns and really trying to demonstrate to people we are trying to do this right.

Mr. PRICE. Thank you. Thank you, Mr. Chairman.

Mr. ADERHOLT. Mr. Carter.

DOMESTIC VIOLENCE

Mr. CARTER. Thank you, Mr. Chairman. I have got so many questions, I don't know where to begin. But I will start with the last comment about domestic violence. You don't make domestic violence calls, do you?

Mr. MORTON. We don't.

Mr. CARTER. No. Your domestic violence calls come to you through other law enforcement?

Mr. MORTON. That is right.

Mr. CARTER. And in most of our States now, we have a policy that when there is an allegation of domestic violence, the person accused of domestic violence—usually in every State in the Union now—spends 24 to 48 hours or more in jail, even if the partner who is abused doesn't want him or her to go to jail.

And the other policy in most States now is kind of amazing. Somebody can get beaten up in a house—this is just fact—and they are in a fight. The cops arrive. The first thing the person says who gets beaten up, Don't you take my husband out of here. Or my wife. And then they get violent with the police officers and they go to jail.

So you need to inquire deeply into domestic violence allegations to make sure that the local arresting officer didn't pick them both up because both of them did something wrong. Just a comment from my long-time personal experience with that.

Policy directives came down on prosecutorial discretion. From who?

Mr. MORTON. They came from me. The memo was written by me.

Mr. CARTER. So this was your idea?

Mr. MORTON. This was my idea. And it was done obviously in coordination and collaboration with the Department and the Secretary. They are the Administration's priorities. They are the Department's priorities, but they are done through me, as the head of ICE.

PROSECUTORIAL DISCRETION

Mr. CARTER. You know you can have deferred prosecution. Prosecutorial discretion is basically a mental state of the prosecuting officer in its simplest form. You look across the table at your defend-

ant and you look at what you have got in the way of a case and decide whether or not to go forward on them.

Did your directives say specifics as to what they are to look for? Or did they only say, I am now granting you the authority to instigate prosecutorial discretion at the trial level?

Mr. MORTON. No. There were specific criteria to be considered. And then with regard to the review of all the cases that we have done, there were very well-defined, low-priority categories that we instructed all of our attorneys to look for.

Mr. CARTER. And at least in our State, the ability to allow your prosecutor to have the expanded authority to make his own decision with directives usually comes out of some kind of criminal procedure that has been passed by some legislative body. This is just a department-driven prosecutorial discretion that you have done, not by statute or otherwise.

Mr. MORTON. Not by statute. I mean, the basic premise is well established in Supreme Court law and also we do have the direction from this committee when it comes to criminal offenders to prioritize by severity. But you are right. The principal policy is coming from the Department and not from any specific statutory provision.

Mr. CARTER. Is this something you can get me a copy of?

Mr. MORTON. Absolutely.

Mr. CARTER. The policy on prosecutorial discretion?

Mr. MORTON. Yes, sir.

[The information follows:]

Policy Number: 10075.1
FEA Number: 306-112-0026

Office of the Director

26A

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



**U.S. Immigration
and Customs
Enforcement**

June 17, 2011

MEMORANDUM FOR: All Field Office Directors
All Special Agents in Charge
All Chief Counsel

FROM: John Morton
Director 

SUBJECT: Exercising Prosecutorial Discretion Consistent with the Civil
Immigration Enforcement Priorities of the Agency for the
Apprehension, Detention, and Removal of Aliens

Purpose

This memorandum provides U.S. Immigration and Customs Enforcement (ICE) personnel guidance on the exercise of prosecutorial discretion to ensure that the agency's immigration enforcement resources are focused on the agency's enforcement priorities. The memorandum also serves to make clear which agency employees may exercise prosecutorial discretion and what factors should be considered.

This memorandum builds on several existing memoranda related to prosecutorial discretion with special emphasis on the following:

- Sam Bernsen, Immigration and Naturalization Service (INS) General Counsel, Legal Opinion Regarding Service Exercise of Prosecutorial Discretion (July 15, 1976);
- Bo Cooper, INS General Counsel, INS Exercise of Prosecutorial Discretion (July 11, 2000);
- Doris Meissner, INS Commissioner, Exercising Prosecutorial Discretion (November 17, 2000);
- Bo Cooper, INS General Counsel, Motions to Reopen for Considerations of Adjustment of Status (May 17, 2001);
- William J. Howard, Principal Legal Advisor, Prosecutorial Discretion (October 24, 2005);
- Julie L. Myers, Assistant Secretary, Prosecutorial and Custody Discretion (November 7, 2007);
- John Morton, Director, Civil Immigration Enforcement Priorities for the Apprehension, Detention, and Removal of Aliens (March 2, 2011); and
- John Morton, Director, Prosecutorial Discretion: Certain Victims, Witnesses, and Plaintiffs (June 17, 2011).

Exercising Prosecutorial Discretion Consistent with the Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens

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The following memoranda related to prosecutorial discretion are rescinded:

- Johnny N. Williams, Executive Associate Commissioner (EAC) for Field Operations, Supplemental Guidance Regarding Discretionary Referrals for Special Registration (October 31, 2002); and
- Johnny N. Williams, EAC for Field Operations, Supplemental NSEERS Guidance for Call-In Registrants (January 8, 2003).

Background

One of ICE's central responsibilities is to enforce the nation's civil immigration laws in coordination with U.S. Customs and Border Protection (CBP) and U.S. Citizenship and Immigration Services (USCIS). ICE, however, has limited resources to remove those illegally in the United States. ICE must prioritize the use of its enforcement personnel, detention space, and removal assets to ensure that the aliens it removes represent, as much as reasonably possible, the agency's enforcement priorities, namely the promotion of national security, border security, public safety, and the integrity of the immigration system. These priorities are outlined in the ICE Civil Immigration Enforcement Priorities memorandum of March 2, 2011, which this memorandum is intended to support.

Because the agency is confronted with more administrative violations than its resources can address, the agency must regularly exercise "prosecutorial discretion" if it is to prioritize its efforts. In basic terms, prosecutorial discretion is the authority of an agency charged with enforcing a law to decide to what degree to enforce the law against a particular individual. ICE, like any other law enforcement agency, has prosecutorial discretion and may exercise it in the ordinary course of enforcement¹. When ICE favorably exercises prosecutorial discretion, it essentially decides not to assert the full scope of the enforcement authority available to the agency in a given case.

In the civil immigration enforcement context, the term "prosecutorial discretion" applies to a broad range of discretionary enforcement decisions, including but not limited to the following:

- deciding to issue or cancel a notice of detainer;
- deciding to issue, reissue, serve, file, or cancel a Notice to Appear (NTA);
- focusing enforcement resources on particular administrative violations or conduct;
- deciding whom to stop, question, or arrest for an administrative violation;
- deciding whom to detain or to release on bond, supervision, personal recognizance, or other condition;
- seeking expedited removal or other forms of removal by means other than a formal removal proceeding in immigration court;

¹ The Meissner memorandum's standard for prosecutorial discretion in a given case turned principally on whether a substantial federal interest was present. Under this memorandum, the standard is principally one of pursuing those cases that meet the agency's priorities for federal immigration enforcement generally.

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- settling or dismissing a proceeding;
- granting deferred action, granting parole, or staying a final order of removal;
- agreeing to voluntary departure, the withdrawal of an application for admission, or other action in lieu of obtaining a formal order of removal;
- pursuing an appeal;
- executing a removal order; and
- responding to or joining in a motion to reopen removal proceedings and to consider joining in a motion to grant relief or a benefit.

Authorized ICE Personnel

Prosecutorial discretion in civil immigration enforcement matters is held by the Director² and may be exercised, with appropriate supervisory oversight, by the following ICE employees according to their specific responsibilities and authorities:

- officers, agents, and their respective supervisors within Enforcement and Removal Operations (ERO) who have authority to institute immigration removal proceedings or to otherwise engage in civil immigration enforcement;
- officers, special agents, and their respective supervisors within Homeland Security Investigations (HSI) who have authority to institute immigration removal proceedings or to otherwise engage in civil immigration enforcement;
- attorneys and their respective supervisors within the Office of the Principal Legal Advisor (OPLA) who have authority to represent ICE in immigration removal proceedings before the Executive Office for Immigration Review (EOIR); and
- the Director, the Deputy Director, and their senior staff.

ICE attorneys may exercise prosecutorial discretion in any immigration removal proceeding before EOIR, on referral of the case from EOIR to the Attorney General, or during the pendency of an appeal to the federal courts, including a proceeding proposed or initiated by CBP or USCIS. If an ICE attorney decides to exercise prosecutorial discretion to dismiss, suspend, or close a particular case or matter, the attorney should notify the relevant ERO, HSI, CBP, or USCIS charging official about the decision. In the event there is a dispute between the charging official and the ICE attorney regarding the attorney's decision to exercise prosecutorial discretion, the ICE Chief Counsel should attempt to resolve the dispute with the local supervisors of the charging official. If local resolution is not possible, the matter should be elevated to the Deputy Director of ICE for resolution.

² Delegation of Authority to the Assistant Secretary, Immigration and Customs Enforcement, Delegation No. 7030.2 (November 13, 2004), delegating among other authorities, the authority to exercise prosecutorial discretion in immigration enforcement matters (as defined in 8 U.S.C. § 1101(a)(17)).

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Factors to Consider When Exercising Prosecutorial Discretion

When weighing whether an exercise of prosecutorial discretion may be warranted for a given alien, ICE officers, agents, and attorneys should consider all relevant factors, including, but not limited to—

- the agency's civil immigration enforcement priorities;
- the person's length of presence in the United States, with particular consideration given to presence while in lawful status;
- the circumstances of the person's arrival in the United States and the manner of his or her entry, particularly if the alien came to the United States as a young child;
- the person's pursuit of education in the United States, with particular consideration given to those who have graduated from a U.S. high school or have successfully pursued or are pursuing a college or advanced degrees at a legitimate institution of higher education in the United States;
- whether the person, or the person's immediate relative, has served in the U.S. military, reserves, or national guard, with particular consideration given to those who served in combat;
- the person's criminal history, including arrests, prior convictions, or outstanding arrest warrants;
- the person's immigration history, including any prior removal, outstanding order of removal, prior denial of status, or evidence of fraud;
- whether the person poses a national security or public safety concern;
- the person's ties and contributions to the community, including family relationships;
- the person's ties to the home country and conditions in the country;
- the person's age, with particular consideration given to minors and the elderly;
- whether the person has a U.S. citizen or permanent resident spouse, child, or parent;
- whether the person is the primary caretaker of a person with a mental or physical disability, minor, or seriously ill relative;
- whether the person or the person's spouse is pregnant or nursing;
- whether the person or the person's spouse suffers from severe mental or physical illness;
- whether the person's nationality renders removal unlikely;
- whether the person is likely to be granted temporary or permanent status or other relief from removal, including as a relative of a U.S. citizen or permanent resident;
- whether the person is likely to be granted temporary or permanent status or other relief from removal, including as an asylum seeker, or a victim of domestic violence, human trafficking, or other crime; and
- whether the person is currently cooperating or has cooperated with federal, state or local law enforcement authorities, such as ICE, the U.S. Attorneys or Department of Justice, the Department of Labor, or National Labor Relations Board, among others.

This list is not exhaustive and no one factor is determinative. ICE officers, agents, and attorneys should always consider prosecutorial discretion on a case-by-case basis. The decisions should be based on the totality of the circumstances, with the goal of conforming to ICE's enforcement priorities.

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That said, there are certain classes of individuals that warrant particular care. As was stated in the Meissner memorandum on Exercising Prosecutorial Discretion, there are factors that can help ICE officers, agents, and attorneys identify these cases so that they can be reviewed as early as possible in the process.

The following positive factors should prompt particular care and consideration:

- veterans and members of the U.S. armed forces;
- long-time lawful permanent residents;
- minors and elderly individuals;
- individuals present in the United States since childhood;
- pregnant or nursing women;
- victims of domestic violence, trafficking, or other serious crimes;
- individuals who suffer from a serious mental or physical disability; and
- individuals with serious health conditions.

In exercising prosecutorial discretion in furtherance of ICE's enforcement priorities, the following negative factors should also prompt particular care and consideration by ICE officers, agents, and attorneys:

- individuals who pose a clear risk to national security;
- serious felons, repeat offenders, or individuals with a lengthy criminal record of any kind;
- known gang members or other individuals who pose a clear danger to public safety; and
- individuals with an egregious record of immigration violations, including those with a record of illegal re-entry and those who have engaged in immigration fraud.

Timing

While ICE may exercise prosecutorial discretion at any stage of an enforcement proceeding, it is generally preferable to exercise such discretion as early in the case or proceeding as possible in order to preserve government resources that would otherwise be expended in pursuing the enforcement proceeding. As was more extensively elaborated on in the Howard Memorandum on Prosecutorial Discretion, the universe of opportunities to exercise prosecutorial discretion is large. It may be exercised at any stage of the proceedings. It is also preferable for ICE officers, agents, and attorneys to consider prosecutorial discretion in cases without waiting for an alien or alien's advocate or counsel to request a favorable exercise of discretion. Although affirmative requests from an alien or his or her representative may prompt an evaluation of whether a favorable exercise of discretion is appropriate in a given case, ICE officers, agents, and attorneys should examine each such case independently to determine whether a favorable exercise of discretion may be appropriate.

In cases where, based upon an officer's, agent's, or attorney's initial examination, an exercise of prosecutorial discretion may be warranted but additional information would assist in reaching a final decision, additional information may be requested from the alien or his or her representative. Such requests should be made in conformity with ethics rules governing

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communication with represented individuals³ and should always emphasize that, while ICE may be considering whether to exercise discretion in the case, there is no guarantee that the agency will ultimately exercise discretion favorably. Responsive information from the alien or his or her representative need not take any particular form and can range from a simple letter or e-mail message to a memorandum with supporting attachments.

Disclaimer

As there is no right to the favorable exercise of discretion by the agency, nothing in this memorandum should be construed to prohibit the apprehension, detention, or removal of any alien unlawfully in the United States or to limit the legal authority of ICE or any of its personnel to enforce federal immigration law. Similarly, this memorandum, which may be modified, superseded, or rescinded at any time without notice, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

³ For questions concerning such rules, officers or agents should consult their local Office of Chief Counsel.

Mr. CARTER. I would sure appreciate it if you would.

The authority to create that Office of Public Advocacy, where does that come from?

Mr. MORTON. Well, we have always had a liaison office. We just centralized the duties. We put it in enforcement and removal operations, and we gave the person the title of public advocate as opposed to simply outreach officer.

Mr. CARTER. So it is just a change of title.

Mr. MORTON. Change of title and a consolidation of the functions. But it is a part of the general administration of the agency.

Mr. CARTER. Okay. That is kind of important because in some places, a prosecutorial advocate is actually a court officer.

Mr. MORTON. Yes. In our case, no, sir. So it is just simply—

Mr. CARTER. So it is just an advisory position, I looked at this case and you need to look at this.

Mr. MORTON. That is right. He serves as a liaison to receive complaints. For example, somebody wants to come in and say, hey, I think you have got it wrong. My cousin is, in fact, a citizen. My cousin shouldn't be deported. But then he is an adviser to the operational commanders. He does not have prosecutorial discretion authority himself.

Mr. CARTER. How many individuals have requested deferred action status from the Department?

Mr. MORTON. Well, the way it is working is we are actually looking at every case. So we don't typically track or receive individual requests. So far, out of 300,000 cases, we are about halfway through the review. We have administratively closed about 1,500 of them out of the 150,000 that we have looked at. The vast majority of those cases are very long-term residents who have either a U.S. citizen spouse or a U.S. citizen child.

Mr. CARTER. So you have processed the 300,000, less 1,500 that are awaiting the process?

Mr. MORTON. Yes. We have got another 150,000 to go. We have got a fair number of cases that are going through—there are various phases in it. We have to run background checks on everybody. We have to run national security checks on everybody. But so far, we have administratively closed about 1,500.

SECURE COMMUNITIES
DOMESTIC VIOLENCE

Mr. CARTER. Just one follow-up.

Mr. MORTON. Yes, sir.

Mr. CARTER. These people aren't under detention, are they?

Mr. MORTON. They are not. With a tiny handful, I think—and we can get you the numbers. But there are only about six or seven cases that have been detained. The vast majority of these people are on the nondetained docket.

[The information follows:]

RESPONSE:

Out of all of the detained cases reviewed as of March 5th, 17 detained pending immigration cases—which equates to .06 percent of all detained cases reviewed—have been identified as amenable to the exercise of prosecutorial discretion. The 17 detained immigration cases are in various stages of background checks.

Mr. CARTER. Thank you, Mr. Chairman.

Mr. ADERHOLT. Ms. Roybal-Allard.

Ms. ROYBAL-ALLARD. First, let me just say, domestic violence is a very complicated issue. And the memo that addressed the wife being taken in as well—or not taking in the victim of domestic violence, I believe, was intended to address the fact that very often, when the police would arrive and a husband was beating his wife, that when they were taking him away, he would then say, Well she hit me too, and then the police would take them both in. And I think that is what the issue was that caused the memo.

Mr. MORTON. That is correct.

Ms. ROYBAL-ALLARD. Mr. Morton, ICE has taken several positive steps to improve the oversight of the Secure Communities program. The fact remains that there are still some major problems, and we still have U.S. citizens that are being unlawfully detained under the Secure Communities program. And the program is still operating in law enforcement jurisdictions currently under investigation for racial profiling.

In addition, ICE has yet to release the results of a statistical analysis of arrest data intended to identify police departments guilty of improperly using these programs. Until these issues are addressed, I am concerned that the program will continue to undermine relations between law enforcement officers and the minority communities that they serve.

So can you explain why you haven't at least temporarily suspended Secure Communities in jurisdictions that are under Federal investigation for racial profiling? And also, given that in June of 2011, when DHS announced a series of reforms, one of the reforms that was announced was that there would be an ongoing statistical analysis of the program and that the information would be released quarterly to guard against racial profiling, and it would happen at least four times a year. And to my knowledge, that information has not been released, and I would like to know why and when it will be.

Mr. MORTON. Let me start with the last question first. You are right. We did commit to that statistical analysis. We are doing it with the Office of Civil Rights and Civil Liberties in main DHS. And, in fact, they are leading the charge. So I don't have a good answer for you. But I will commit to getting you an answer as to, one, have we put out any analysis yet? And if not, why not? And when can you expect it?

DEPT. OF JUSTICE, COORDINATION WITH

On the question of, have we suspended Secure Communities in any place that is under investigation—

Ms. ROYBAL-ALLARD. The question is, why haven't you?

Mr. MORTON. So we have not. And the reason we have not is, from our perspective, that is a fairly Draconian step, and we are very concerned about the public safety implications of not identifying very serious offenders who would otherwise be released to the streets. We are very cognizant of the concern that you raise. It is conceivable that we would take the drastic step of turning Secure Communities off, but that would need to be done in consultation with the civil rights division, the Office of Civil Rights and Civil Liberties in our own Department and fully cognizant of the real

risks that would come with that, particularly for violent or serious offenders who would then be released in the streets.

Ms. ROYBAL-ALLARD. Well, can you answer, is there some increased oversight in these areas where they are under investigation?

[The information follows:]

Representative Ms. Roybal-Allard -- Regarding suspension of SC jurisdictions, "... in June of 2011 when DHS announced the series of reforms, one of the reforms that was announced was that there well-developed be an ongoing statistical analysis of the program and that the information would be released reportedly to guard against racial profiling. And it would be happened at least four times a year and to my knowledge that information has not been released and I'd like to know why and when it will be."

RESPONSE:

In June 2011, the statistical monitoring of jurisdictions where Secure Communities has been activated was in development; that monitoring actively commenced in July 2011, when ICE data from the third quarter of FY2011 (April 1-June 30, 2011) became available. Using that data, the DHS Office for Civil Rights and Civil Liberties (CRCL), with direct assistance from ICE and an academic expert on criminological statistics, began to review the statistics and to refine the statistical techniques to be employed.

In November 2011 ICE and CRCL publicly released an in-depth discussion of the methodology being used to conduct the quarterly monitoring. An overview of the method is available on-line at <http://www.ice.gov/doclib/secure-communities/pdf/statisticalmonitoring.pdf>, and a more technical paper is posted at <http://www.ice.gov/doclib/secure-communities/pdf/sc-statistical-monitoring.pdf>. Those papers describe a process involving statistical monitoring of all jurisdictions, followed by in-depth statistical and qualitative analysis of jurisdictions identified through the statistical monitoring as being of potential concern. They explain the data and analytic limits and plans to account for those limits.

As of April 2012, data from the third quarter of FY2011 have progressed through statistical analysis, and an in-depth follow-up is well underway. Data from the fourth quarter of FY2011 (July 1-Sept. 30, 2011) are in an earlier stage of the required follow-up. Data from the first quarter of FY2012 (Oct. 1-Dec. 31, 2012) have been assembled. Analysis of that data will begin in the next several weeks. The second quarter of FY2012 is just closed and data is not yet available.

The monitoring methodology is designed to identify jurisdictions of potential concern, where further examination is necessary. It is important to note that some jurisdictions will necessarily be identified as statistical outliers that prove, on further examination, not to be engaged in improper practices.

ICE continues to provide monthly data reflecting all Secure Communities identifications, administrative arrests, and removals via its public FOIA library. The most recent report is available at http://www.ice.gov/doclib/foia/sc-stats/nationwide_interoperability_stats-fy2012-to-date.pdf

Mr. MORTON. We have reached out to the Department of Justice. Obviously, ICE does not have any civil rights investigative authority. That resides at the Department of Justice in a particular civil rights division. But we have committed, as part of the statistical analysis that we are doing with civil rights and civil liberties, and as part of our oversight process, to have a much closer relationship with the Department of Justice and the administration of our programs. It is not completely on point, but it is related. If you will remember, the Department of Justice recently found systemic abuses in the administration of the Maricopa County detention system, and we suspended our 287(g) operation there immediately upon that finding, and we did that in coordination with the Department.

ALTERNATIVES TO DETENTION (ATD)

Ms. ROYBAL-ALLARD. Now, the budget you submitted increases funding for the Alternatives to Detention program, and it allows your agency the flexibility to shift money from detention beds to alternative programs. Expanding these safe and effective programs makes sense, especially given the deficits that we are dealing with because this program costs more than 90 percent less than traditional incarceration. So can you elaborate on your budget request and its importance to helping you balance your budget and to your detention reform efforts?

Mr. MORTON. The whole idea is that in a time of fiscal restraint all around, we need to identify a cost-effective means of ensuring the removal of people who might not need to be detained if there was an alternative means of ensuring their appearance and ultimate compliance. So the trick is, achieving the promise of Alternatives to Detention. It is much, much less expensive on a daily rate, and it can be quite effective. The challenge for us is that it is quite cost effective on a daily comparison. If the person stays in the program too long—in other words, their underlying hearing takes a very long time to be completed, then in a perverse way, it actually becomes more expensive.

And that is why a key to this effort is to work with the Department of Justice to ensure that Alternatives to Detention cases get swift hearing. If they can get swift hearing, we are confident that we can actually ensure removal and do it much cheaper than had we detained the person. But obviously, there is some work to be done there, and that is what we are trying to achieve through the budget.

Mr. ADERHOLT. Mr. Frelinghuysen.

IDENTITY TRAFFICKING/CYBERCRIMES

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman. Director Morton, it is good to see you again. Tell me about some of your identity trafficking operation that is part of your portfolio. Have you had some successes there?

Mr. MORTON. We have. It is a huge problem, as you know, around the country. We tend to focus a lot on fraudulent driver's license schemes, Social Security numbers. There are document mills all over the country. We have seen an alarming rise in the

number of these documents that you can now get over the Internet. They are being produced in China.

Mr. FRELINGHUYSEN. So they are as good as the originals in many cases?

Mr. MORTON. In many cases, if you are not a State DMV examiner, it is hard to tell the difference. We are doing a lot of these cases. We are going to continue to do a lot of these cases. We just did a case in Newark where we were having corporate identity theft, where the export identities of major corporations were being stolen to bring in counterfeit goods, making them appear as if they were legitimate corporate imports when, in fact, they were counterfeits and the companies had no idea whatsoever that they were being done.

Mr. FRELINGHUYSEN. You are good on your feet. I appreciate your invoking Newark. I assume you are referring to Newark, New Jersey.

Mr. MORTON. Indeed. \$300 million.

Mr. FRELINGHUYSEN. So how much money are we spending in this area? Are we making the type of investments, and where does it relate? Since we have a cybercentric bureaucracy these days, where do you fit into the so-called cybercommand?

Mr. MORTON. We spent a lot of money on this. We will get you the exact breakdown.

[The information follows:]

Representative Frelinghuysen. How much did ICE spend on identity trafficking in FY 2011 and FY 2012 to date?

RESPONSE:

In FY 2011, ICE expenditures to combat identity and benefit fraud were \$132,551,483. As of the end of the first quarter of FY 2012, ICE expenditures to combat identity and benefit fraud were \$27,141,971.

Mr. MORTON. We have a cybercrime center that we run just across the river here in northern Virginia. So much of our work, as a criminal investigative agency, is moving from the street to the Internet.

Mr. FRELINGHUYSEN. Because, obviously, the forging of documents has been going on probably for centuries; but in reality, cyber is sort of where a lot of the public fixation is.

So you are involved in that? You spend some money, a certain amount of money in this area?

Mr. MORTON. An enormous amount of money both in terms of child pornography, which is now almost exclusively online. Counterfeiting, piracy, it has all moved online. Identity theft, increasingly online. I would say that well over half of our cases now involve some cyberconnection.

Mr. FRELINGHUYSEN. So just say there has been obviously a focus on cyber. You work with the private sector, the business community in this area?

Mr. MORTON. We do. I am a big believer in public-private partnership.

Mr. FRELINGHUYSEN. And you are aware of the whole issue of the desire to protect proprietary information, and so are you a part of the group who would be supportive of enhancing systems to protect them from penetration?

Mr. MORTON. Absolutely.

Mr. FRELINGHUYSEN. I just wonder from your perspective—this is not a hardball question—whether all the interested parties are working together. You have an IT section in your statement. And sometimes when I see that you have got new IT, you always wonder whether it is married to anybody else's system. So give us maybe some level of assurance that whatever you are investing in, that it may relate to the storage and assimilation and the review of data that systems talk to one another.

Mr. MORTON. I will tell you, in all candor, while there is some work still to be done, my entire career has been in Federal law enforcement. I have never seen the level of exchange between agencies and databases. It is truly impressive. Much of it obviously brought on by the tragedy of 9/11. But you would be pleasantly surprised to see how much information we use every day that isn't stored and collected by ICE but we have access to it, and we use it to go after all manner of—

Mr. FRELINGHUYSEN. Of course, we are pleased to hear that. But in reality, there are some people that have been objecting to a collection of this type of data. So I assume you are—I know the Department of Justice intervened the other day relative to certain actions. One of our Federal agents—I assume you are following some course of action here which respects the Constitution but also, shall we say, errs on the side of getting information and analyzing it and acting to protect us.

Mr. MORTON. Absolutely. I mean, good law enforcement is a balance of trying to go out and get wrongdoers, but doing it in a way that is constitutional and respects the privacy of the people.

Mr. FRELINGHUYSEN. At your convenience, for the record, since this is the Appropriations Committee, I would like to know what you are spending in some of these areas. So for the record, if you can provide those dollar figures.

Mr. MORTON. We would be happy to do it.

[The information follows:]

Representative Frelinghuysen. How much did ICE expend in FY 2011 and FY 2012 to date on combating cyber crimes?

RESPONSE:

In FY 2011, ICE expenditures to combat cyber crimes were \$107,631,317. As of the end of the first quarter of FY 2012, ICE expenditures to combat cyber crimes were \$24,715,627.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

Mr. ADERHOLT. Mrs. Lowey.

Mrs. LOWEY. Thank you, Mr. Chairman. And welcome, Director.

Mr. MORTON. Thank you.

ILLEGAL WEAPONS

Mrs. LOWEY. Since 2006, over 20,000 people have been murdered at the hands of drug cartel violence in Mexico, nearly 10 percent of which are police, military, or security officers. This violence has resulted in the deaths of over 200 Americans in Mexico. According to Mayors Against Illegal Guns, 90 percent—90 percent of guns recovered and traced from these Mexican crime scenes came from gun dealers in the United States. What is ICE doing to prevent the smuggling of illegal weapons across the border?

Mr. MORTON. Well, first I will note that one of the Americans killed in Mexico was our own agent, Jaime Zapata, who was killed by an armed gunman in San Luis Potosi, so we obviously take this issue very seriously. Our efforts, when it comes to arms trafficking or focused on cross-border trafficking—obviously the ATF has the lead domestically on firearms investigations. We do a lot of joint southbound inspection with CBP, where we do random inspections of people going south using our border search authority. And we will literally search people's cars and see if they have firearms going south, which they have not declared. And we conduct investigations into attempts to illegally export all manner of firearms and weaponry. That is one of our principal responsibilities.

Mrs. LOWEY. Well, I hope you are more successful in the future than you have been in the past because when you see the deaths that are occurring and realize that the guns are traced back to us, it is pretty upsetting.

HUMAN TRAFFICKING

But on another issue, according to the Department of Justice, human trafficking is now the second fastest growing criminal industry, second only to the narcotics trade. In 2010, of the 2,515 cases under investigation, over 1,000 involved children. The national human trafficking resource center estimates that these cases represent a \$32 billion industry. How does the President's budget request address this growing trend? And what resources will ICE use to combat human trafficking; and in particular, the illegal traffic of children?

Mr. MORTON. There is not a specific enhancement in our budget. But let me say this: First, ICE runs the Human Smuggling and Trafficking Center. So we are the lead agency. We are the principal investigator of most overseas child exploitation offenses, including sex trafficking and child forced labor. The FBI is the other big investigator along with us. We have never had a higher number of open investigations and prosecutions in our history. And I agree with you that it is one of the great problems of our time. There are far too many children being abused. There are far too many Americans going overseas to do things with other people's children that they shouldn't be doing. And regardless of the budget constraints that we have to live within, I can promise you that our child exploitation efforts, which are at an all-time high right now, are not going to suffer.

PRISON RAPE ELIMINATION ACT

Mrs. LOWEY. Thank you. The Department of Justice recently announced that ICE-managed detention facilities would not be covered under the Prison Rape Elimination Act signed into law by President Bush in 2003 with bipartisan support. This legislation requires the development of national standards to prevent sexual violence in prisons and juvenile detention facilities.

Now, in light of the reports of sexual violence in ICE facilities, will you request that the administration reconsider its decision to limit the scope of this Act?

Mr. MORTON. What we are going to do is, we are going to comply on our own with PREA. In fact, we are a little bit ahead of the rest

of the government on this score because our standards, which we have just issued, have a specific standard on the prevention investigation of sexual abuse. And we will be fully PREA-compliant. And with a little luck, I think ICE will be the first of the major detention systems to be fully compliant. So I think you will see good news there. It will take us some time because we operate in so many different facilities and we have to negotiate some of these standards with the people that run the facilities. But there is no daylight between PREA and where we want to be, as an agency.

Mrs. LOWEY. Thank you. Thank you, Mr. Chairman.

Mr. ADERHOLT. Mr. Latham.

Mr. LATHAM. Thank you very much Mr. Chairman. Going back to the question, previously, from Mrs. Lowey—and I won't get into Fast and Furious, but guns come from places other than the United States, right?

Mr. MORTON. Yes.

Mr. LATHAM. Can you tell me where?

Mr. MORTON. I am not an expert on all of the various locations of manufacturings. But obviously, there are many firearms manufacturers in countries other than the United States. And there is a lot of smuggling into Mexico and other places from the south as well as from the United States.

287(g) PROGRAM

Mr. LATHAM. Thank you very much. I want to talk about the 287(g) program. I have a real concern about the reduction; I think it is about a 25 percent reduction in that program, \$17 million. Your own Web site says that that program is one of the top partnership programs that you have. And additionally, you have referenced the program as a force multiplier and implied that it helps add to limited ICE resources. The Secretary has said that the 287(g) program should focus on removal of criminal aliens and recent border entrants that game the system.

If your resources are tight and one of your main missions is to track criminal aliens, as the Secretary said, why would you want to dump a program that is a force multiplier for helping ICE track criminal aliens? And it is not a program that is redundant with the Secure Communities program. Before you say that, I don't accept that at all because it is kind of like comparing apples and oranges. But why the reduction if it is such a good program?

Mr. MORTON. A few things, just to clarify. The proposed reduction focuses on 287(g) task forces. There is no proposed reduction for jail models. And on the contrary, I just approved two new jail model authorizations. So the reason for the reduction on the task force is that just at the end of the day, they have not proven to be particularly productive. We spent a lot of money to oversee them. We spent a lot of money to set up training and the initial connections and on the task forces. Only the task forces. While there are a few notable exceptions among the existing ones, the vast majority of them have only a handful of arrests each year.

And the principal reason for that is that in these tough times, a lot of the officers that we originally designated as 287(g) task force offices, the underlying jurisdictions had to redirect them and put them to other uses. So we have a number of 287(g) task forces

that have—many of them, no removals each year, and others, just a handful.

Mr. LATHAM. What is the purpose of the program if it is not the task force?

Mr. MORTON. There are two versions. One is a task force. And the purpose there was to go out on the street and look for gang members and people that are outside of an incarcerated setting. And then we have the jail model, which is where we delegate our authority to people who run penal institutions. That has worked very well. We are continuing to do that. I, again, just approved two more. And that is the lion's share of the removals that come out of the 287(g) program, by far. I think it is 90 percent come out of the jail model side.

287(g)

Mr. LATHAM. Supposedly, the task force accounted for 10 to 20 percent of all the arrests; is that right?

Mr. MORTON. Uh-huh.

Mr. LATHAM. But are you saying that that is more the jail model?

Mr. MORTON. The jail model is all the rest. So the jail model is much larger in terms of the numbers of arrests and removals. It is much more efficient.

Mr. LATHAM. So how do you cut one part and not the other?

Mr. MORTON. Because, from our perspective, the jail model works so much better, and the task force model at the end of the day has not been—

Mr. LATHAM. If you are cutting an entire budget but you are just—

Mr. MORTON. Yeah. The point of my clarification was to say that when we say that we are going to cut the overall budget, the focus is going to be on task force delegations. We are not proposing to eliminate any jail delegations.

Mr. LATHAM. Apparently the Committee has heard from fugitive operations personnel on how important State and local participation is for the task forces and that this program is key for those task forces to get funded; isn't that correct?

Mr. MORTON. We do provide funding. But I am pretty confident that if we were to come and give you a briefing and to show you what we have spent to authorize the task forces and to show you the actual removals from those task forces, you would see that a great number of the task forces don't, in fact, produce many removals. The jail, on the other hand, produces quite a lot.

ENFORCEMENT REMOVAL OPERATIONS (ERO)

Mr. LATHAM. I would love to get a briefing from you some time.

Mr. MORTON. Yes.

[The information follows:]

Representative Latham. I would love to get a briefing from you sometime.

Update:

ICE is coordinating a briefing.

Mr. LATHAM. Thank you, Mr. Chairman.

Mr. ADERHOLT. Thank you, Mr. Latham.

Let me go back to Enforcement and Removal Operations that I left off on the first round. How many offices actually go out and do audits of the facilities?

Mr. MORTON. Of the jail facilities?

Mr. ADERHOLT. For Enforcement and Removal Operations, yes. The facilities, yes, the detention facilities.

Mr. MORTON. The facilities. So we have our Office of Detention Oversight that goes out, the Inspector General separately does some inspections, and we now have our own officers in most of the very large ones to do just sort of day-to-day oversight.

We are proposing, Mr. Chairman, to reduce some of the inspections in the very small or short-term facilities, recognizing that it has been a burden that hasn't been particularly efficient from a taxpayer perspective. But to Etowah County, for example, we would inspect there regularly because it is a major facility that we use regionally.

CIVIL RIGHTS AND CIVIL LIBERTIES

Mr. ADERHOLT. You mentioned the Office of Inspector General and also Office of Detention Policy and Planning?

Mr. MORTON. The Office of Detention Oversight.

Mr. ADERHOLT. Okay. And then Civil Rights and Civil Liberties?

Mr. MORTON. They do separately from us, they can go in and—they typically look at individual complaints, but, yes, from the Department. There is very heavy oversight in this particular area.

Mr. ADERHOLT. So what about the accreditation organizations. Would that be in addition to that?

Mr. MORTON. So the accrediting, we have separate standards. We try to follow as much as we can the standards of the accreditation services. The challenge is in a place where—many of the detention facilities we use house both criminal and non-criminal detainees. Etowah County, it is a penal institution in addition to housing ICE detainees. So that is the trick. We are holding two different sets of people and so we have two different standards. Wherever we can, we try to use the ACA standards as a model and not have our standards too far different, because we recognize it is a challenge for the facilities.

Mr. ADERHOLT. The fiscal year 2013 budget proposal would expand the Office of Civil Rights and Civil Liberties role, is that correct, through direct auditing of the facilities and investigating fugitive operations?

Mr. MORTON. I am not aware of one in ICE's budget. Maybe in Main DHS's budget, but ICE is not proposing that.

Mr. ADERHOLT. Yes, DHS's budget.

We understand that the public advocate that we had talked about a little bit earlier was actually acting as an ombudsman, receiving case files from private attorneys and putting ICE in jeopardy when it comes to litigation. What about the eight complaint processes ICE and DHS already have for the detention removal operation?

Mr. MORTON. So the idea was just to have a place that people could go on a national level, either for general concerns or a case that they just didn't feel was getting the attention it deserved lo-

cally. So sort of imagine it as both outreach and just a national escape valve.

As I mentioned earlier, we have already had a position that was similar to this. We added to its authorities. And we really wanted to bring attention and focus to U.S. citizen claims, because that has been a strong concern lately in a number of the immigration advocacy circles, and we just wanted to make sure we were doing everything we could to be responsive to those concerns, because obviously we don't have any power to detain or remove a United States citizen. Any time that we do that that would be improper and it needs to be addressed immediately.

Mr. ADERHOLT. I think the concern is just a bureaucracy that is out of control, no accountability, especially when we are at a time when we are trying to find cost-effective ways to manage detention beds in the most effective way. That is the concern, just out-of-control bureaucracy.

I have just a little bit longer. Let me get to one more question I want to ask.

DETENTION BEDS

We discussed a topic with the Secretary when she was here and I want to bring that up to you. According to the weekly report to this Subcommittee that you all do, ICE is not meeting the statutory mandate to maintain no fewer than 34,000 detention beds in the current fiscal year. Could you give us a clarification on that?

Mr. MORTON. A couple of things. You are right; we are at 32,200 as of last week. That is below our mandate. Just so we are clear, I view it as a mandate. And last year we got to 33,300. Our mandate was 33,400. We missed it by 100, but that is the highest the agency has ever had in its history. So there should be no concern that I don't view an instruction from the Committee as exactly what it is, it is an instruction to us.

We have seasonal variation. The heavy months of illegal migration along the southwest border are yet to occur. So I think you will see our bed rate go up pretty significantly. And I am more than happy to make sure that we are reporting on this every week and that we are doing everything we can to meet the mandate.

One minor point of clarification, we have actually two mandates, because for the first quarter we were under 33-4 and then for the last three-quarters we are under 34,000. But we are going to do our level-headed best to get there. It is an instruction to us, and we don't treat it any differently.

Mr. ADERHOLT. Thank you.

Mr. Price.

DOMESTIC VIOLENCE

Mr. PRICE. Thank you, Mr. Chairman. Let me just make one further comment about the exchange we had earlier about domestic violence. As I understand it, the question is, of course, not ICE answering domestic violence calls. We understand that doesn't take place. But you are in the situation of following up when legal authorities when law enforcement authorities make these arrests. You have to make a determination as to who to put a detainer on, who to deport, when these people have been picked up, under-

standing that they may have been picked up under very ambiguous circumstances, as to who the victim was or whether the victim had any part in it and all the rest.

So the concern here is, of course, that we have some realistic sense of priorities here and of not victimizing the victim. But also what law enforcement constantly tells me, and I think has probably told all of us, that if there is a fear in the immigrant community or a sense in the immigrant community that the result of reporting an incident is going to be that the person reporting it or the victim would themselves then face deportation or some dire consequence, then, of course, the incentive goes down to report the instance in the first place, and law enforcement finds its efforts stymied. That is what we are trying to deal with, right?

Mr. MORTON. That is correct, and I am happy to get our policy to you. It is our stated policy that we do not put immediate victims or witnesses to a crime into proceedings absent extraordinary circumstances, and it is directed exactly to the situation where we have to do a little homework and we need to—sometimes, you know, local law enforcement will arrest both people.

[The information follows:]

Policy Number: 10076.1
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Office of the Director

49A

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536

JUN 17 2011



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: All Field Office Directors
All Special Agents in Charge
All Chief Counsel

FROM: John Morton
Director 

SUBJECT: Prosecutorial Discretion: Certain Victims, Witnesses, and Plaintiffs

Purpose:

This memorandum sets forth agency policy regarding the exercise of prosecutorial discretion in removal cases involving the victims and witnesses of crime, including domestic violence, and individuals involved in non-frivolous efforts related to the protection of their civil rights and liberties. In these cases, ICE officers, special agents, and attorneys should exercise all appropriate prosecutorial discretion to minimize any effect that immigration enforcement may have on the willingness and ability of victims, witnesses, and plaintiffs to call police and pursue justice. This memorandum builds on prior guidance on the handling of cases involving T and U visas and the exercise of prosecutorial discretion.¹

Discussion:

Absent special circumstances or aggravating factors, it is against ICE policy to initiate removal proceedings against an individual known to be the immediate victim or witness to a crime. In practice, the vast majority of state and local law enforcement agencies do not generally arrest victims or witnesses of crime as part of an investigation. However, ICE regularly hears concerns that in some instances a state or local law enforcement officer may arrest and book multiple people at the scene of alleged domestic violence. In these cases, an arrested victim or witness of domestic violence may be booked and fingerprinted and, through the operation of the Secure

¹ For a thorough explanation of prosecutorial discretion, see the following: Memorandum from Peter S. Vincent, Principal Legal Advisor, Guidance Regarding U Nonimmigrant Status (U visa) Applicants in Removal Proceedings or with Final Orders of Deportation or Removal (Sept. 25, 2009); Memorandum from William J. Howard, Principal Legal Advisor, VAWA 2005 Amendments to Immigration and Nationality Act and 8 U.S.C. § 1367 (Feb. 1, 2007); Memorandum from Julie L. Myers, Assistant Secretary of ICE, Prosecutorial and Custody Discretion (Nov. 7, 2007); Memorandum from William J. Howard, Principal Legal Advisor, Prosecutorial Discretion (Oct. 24, 2005); Memorandum from Doris Meissner, Commissioner, Immigration and Naturalization Service, Exercising Prosecutorial Discretion (Nov. 17, 2000).

Communities program or another ICE enforcement program, may come to the attention of ICE. Absent special circumstances, it is similarly against ICE policy to remove individuals in the midst of a legitimate effort to protect their civil rights or civil liberties.

To avoid deterring individuals from reporting crimes and from pursuing actions to protect their civil rights, ICE officers, special agents, and attorneys are reminded to exercise all appropriate discretion on a case-by-case basis when making detention and enforcement decisions in the cases of victims of crime, witnesses to crime, and individuals pursuing legitimate civil rights complaints. Particular attention should be paid to:

- victims of domestic violence, human trafficking, or other serious crimes;
- witnesses involved in pending criminal investigations or prosecutions;
- plaintiffs in non-frivolous lawsuits regarding civil rights or liberties violations; and
- individuals engaging in a protected activity related to civil or other rights (for example, union organizing or complaining to authorities about employment discrimination or housing conditions) who may be in a non-frivolous dispute with an employer, landlord, or contractor.

In deciding whether or not to exercise discretion, ICE officers, agents, and attorneys should consider all serious adverse factors. Those factors include national security concerns or evidence the alien has a serious criminal history, is involved in a serious crime, or poses a threat to public safety. Other adverse factors include evidence the alien is a human rights violator or has engaged in significant immigration fraud. In the absence of these or other serious adverse factors, exercising favorable discretion, such as release from detention and deferral or a stay of removal generally, will be appropriate. Discretion may also take different forms and extend to decisions to place or withdraw a detainer, to issue a Notice to Appear, to detain or release an alien, to grant a stay or deferral of removal, to seek termination of proceedings, or to join a motion to administratively close a case.

In addition to exercising prosecutorial discretion on a case-by-case basis in these scenarios, ICE officers, agents, and attorneys are reminded of the existing provisions of the Trafficking Victims Protection Act (TVPA),² its subsequent reauthorization,³ and the Violence Against Women Act (VAWA).⁴ These provide several protections for the victims of crime and include specific provisions for victims of domestic violence, victims of certain other crimes,⁵ and victims of human trafficking.

Victims of domestic violence who are the child, parent, or current/former spouse of a U.S. citizen or permanent resident may be able to self-petition for permanent residency.⁶ A U nonimmigrant visa provides legal status for the victims of substantial mental or physical abuse as

² Pub. L. No. 106-386, §§101-113, 114 Stat. 1464, 1466 (codified as amended in scattered sections of the U.S.C.).

³ William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. No. 110-457, 122 Stat. 1464, 1491 (codified as amended in scattered sections of the U.S.C.).

⁴ Pub. L. No. 106-386, §§1001-1603, 114 Stat. 1464, 1491 (codified as amended in scattered sections of the U.S.C.).

⁵ For a list of the qualifying crimes, see INA §101(a)(15)(B)(iii).

⁶ See INA §101(a)(51).

a result of domestic violence, sexual assault, trafficking, and other certain crimes.⁷ A T nonimmigrant visa provides legal status to victims of severe forms of trafficking who assist law enforcement in the investigation and/or prosecution of human trafficking cases.⁸ ICE has important existing guidance regarding the exercise of discretion in these cases that remains in effect. Please review it and apply as appropriate.⁹

Please also be advised that a flag now exists in the Central Index System (CIS) to identify those victims of domestic violence, trafficking, or other crimes who already have filed for, or have been granted, victim-based immigration relief. These cases are reflected with a Class of Admission Code "384." When officers or agents see this flag, they are encouraged to contact the local ICE Office of Chief Counsel, especially in light of the confidentiality provisions set forth at 8 U.S.C. § 1367.

No Private Right of Action

These guidelines and priorities are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

⁷ See INA §101(a)(15)(U).

⁸ See INA §101(a)(15)(T).

⁹ See Memorandum from John P. Torres, Director, Office of Detention and Removal Operations and Marcy M. Forman, Director, Office of Investigations, Interim Guidance Relating to Officers Procedure Following Enactment of VAWA 2005 (Jan. 22, 2007).

Mr. PRICE. You have to do some homework. That doesn't mean you have to wait for the criminal process to work itself out.

Mr. MORTON. Absolutely.

Mr. PRICE. The judicial process.

Mr. MORTON. So our policy says do that homework. In domestic violence cases and other cases, do the homework to make sure you are not inadvertently putting someone into proceedings who was arrested, to use your phrase, where the circumstances were ambiguous.

SECURE COMMUNITIES

Mr. PRICE. Right. That is what I wanted to clarify. Let me talk about the plans you have for nationwide deployment. You are scheduled to complete nationwide deployment of Secure Communities by March 2013. Your budget reduces specific funding for the program from \$189 million in 2012 to \$139 million in 2013, anticipating this building out of the system. Are you still on track to meet that national participation by March of 2013?

What have you done and what are you doing about these States and localities that have offered some resistance, that have expressed misgivings about this program or about their own participation in it? What kind of communication improvements are you working on there before this program is fully deployed? And what kind of update can you give us on the response from those States and localities that earlier professed their belief that Secure Communities was voluntary and they attempted to opt out?

Mr. MORTON. So we are going to be fully deployed by March 2013. It is full steam ahead from our perspective on this. As I said earlier, I think it is a good program, it was the right thing to do, and we believe in it and we are going to move forward. We are cognizant of the many concerns that have been raised. We have taken a number of steps to address them. We have removed any ambiguity as to whether or not the State or local jurisdictions need to do anything. They don't. We have removed any requirement for a memorandum of agreement or understanding.

We are in 45 of 50 States as we speak. Forty-five of 50 States have Secure Communities, 2,300 jurisdictions. We are going to be close to 3,000 by the end. And while there have been some jurisdictions that have raised concerns, I will tell you that it is a very small number, and even in those jurisdictions the concern tends to be about very low level offenders.

There is almost no disagreement that a place, a good place for ICE to be looking for people to remove from the country is the Nation's penal system. It makes sense, it is good policy, and that is what Secure Communities is all about.

So I think we will be in all 50 States, Mr. Price, by 2013. I think you will see the agency respond to the criticisms. We have done a lot to clarify what the program is about. I will be the first to say that the agency, particularly when we got things rolling in 2008, didn't do the best job of it. There was extremely rapid expansion of the program. And we have done a lot to address those deficiencies. We can always do more. We are going to do more. But at the end of the day, I think the judgment of this committee that looking for criminal offenders in each and every jail and prison in

this country to remove them from our streets so they can't go out and commit another crime was the right call.

Mr. PRICE. Thank you. Do I have any time remaining?

Mr. ADERHOLT. No. You went over a bit.

Mr. PRICE. All right, I will wait until the next round. Thank you.

Mr. ADERHOLT. Mr. Carter.

Mr. CARTER. Thank you, Mr. Chairman. Director Morton, I really appreciate what you do. You have got a real tough job. We have a saying, you are as busy as a wallpaper hanger in a windstorm. So I have got a lot more questions than you and I are going to have a chance to answer, so I will submit those and ask your folks to give me an expedited answer. I have waited a long time on some of these. These are things that I think both the Chairman, the Chairman of the Judiciary Committee and I are concerned about. So I am going to go through some of this very briefly.

SERIOUS CRIMES

The Secretary told us that we are removing illegal aliens who have committed serious crimes. We need to know a more clear definition of "serious crimes." We have heard some of that today. Who is making the determination as to whether it is serious or not? Is it trained law enforcement folks or is it bureaucrats from some off-site location that have set up a standard? We need to know who is running the show. Some people might look at a case and say all this person did was run a red light. They didn't know that a warrant check was run and they were pending aggravated sexual assault of a child and missing on their bond. There are a lot of things that bureaucrats don't see that law enforcement officers obviously do. Do you have bureaucrats second guessing the front line folks?

The Secretary's advisory committee advocated that you set up panels in particular jurisdictions to review the cases your personnel are bringing forward and make those decisions for you. Are you considering doing that? What would that do to the morale of your officers, agents and attorneys? I have real concern about the morale of your officers, agents and attorneys on this. What would that do to your authority? Quite honestly, wouldn't it undermine the authority of these agents that are risking their lives every day in the field? I am well aware of what ICE has to put up with, so I have a real concern about that.

I understand Lamar Smith, Chairman of the Judiciary Committee and Chairman Aderholt here have asked for exact numbers on prosecutorial discretion and they have received no answers. We want to push them out to get us this number. You need to push your people to get us these numbers because they are important in how we analyze the program, and we need to know are you tracking these folks that have been "let off," if you will, because, quite honestly, they still have illegal status in this country.

ATD

All these things are the things we need to have a clear picture on this. I have done lots of alternatives to incarceration in my day and I am not anti-alternatives to incarceration or alternatives to detention in intelligent cases. But we don't have good guidelines.

So I don't expect you to answer all those questions today. I hope somebody wrote them down for you. If not, I am going to get them to you. And there probably are going to be some more, because we need to clarify this. If it is a good idea, let's make sure it is a good idea.

I would also like to remind you, I don't know what you do with detention beds when you reduce the number. You contract for most of your detention beds, quite a few of them.

Mr. MORTON. Yes, sir.

Mr. CARTER. What does that do to your contracting? Do you have to cancel contracts and renegotiate when you reduce detention in a facility, wherever that facility may be. And you pointed it out, the seasonal elevation is coming. But, more importantly, if GDP is going up, what we are all hoping for, the minute that jobs are available, the numbers are going up. They come over here to work. And if we don't have the jobs, you got low numbers. If we get the jobs, we are going to get high numbers. I wonder, are we saving any money if we are shutting down facilities, by shutting down and reauthorizing when the numbers go up. I need those kind of questions answered.

Mr. MORTON. Why don't I suggest that rather than you having to put these to us, we will be in touch with your staff and make sure we get them right. The one thing I think I will need a little clarification on is the proposal on panels. I have not heard that, and as described it doesn't sound like something I would be for. But let me go—

Mr. CARTER. The Secretary initiated it in her testimony, I believe.

Mr. MORTON. Okay, that one is new to me. On the prosecutorial discretion review, we are keeping very good statistics and numbers, and I think we will be more than happy to give you and the Chairman an update.

[The information follows:]

Mr. Morton's comeback to Representative Carter -- OK, that one is new to me. On the prosecutorial discretion review, we are keeping very good statistics and numbers and *I think we will be more than happy to give you* and the chairman an update.

RESPONSE:

As you may be aware, the U.S. Department of Homeland Security (DHS) has been engaged in an ongoing review of thousands of cases currently on immigration court dockets. The goal of this review has been to speed the removal of criminal aliens and other priority aliens from the United States. The cases of individuals who are determined to not be a priority for enforcement, based on the criteria set forth in the June 2010 memorandum on civil enforcement priorities and the June 2011 memoranda on prosecutorial discretion, are being administratively closed. So far, the results of the review have been as follows:

Total Cases Reviewed

- As of March 5th, U.S. Immigration and Customs Enforcement (ICE) attorneys, with the assistance of other DHS attorneys, have reviewed 142,212 non-detained cases with approximately 13,175, or 9%, identified as provisionally amenable to the exercise of prosecutorial discretion, pending the results of the background checks.
- As of March 5th, ICE attorneys, with the assistance of other DHS attorneys, have reviewed 23,259 detained cases with 17, or less than 1%, identified as provisionally amenable to the exercise of prosecutorial discretion, pending the results of background checks.

Outcomes

- As of March 5th, 1569 cases have been administratively closed or dismissed as a result of the case-by-case review.

E-VERIFY

Mr. CARTER. I have some more time. One more thing I am worried about, our employers, at least where I come from, are jumping through every hoop they can jump through to make sure when they hire somebody they are following the law, and they do not want the consequences of not following the law on them. And when this process we are talking about here, this deferred prosecution or prosecutorial discretion, the first question they ask, is what is the status of this guy? Can I hire this guy?

If somebody just word of mouth says, oh, yeah, it is okay, you can hire him. He may be eligible for a work permit later on, it just got them in a quandary. And in the construction industry, which we hope to pass a highway bill here sometime before the end of the world, those guys will all be hiring. And that is who they will be hiring. The Hispanic community is a large hire in the construction industry, in Texas at least.

I want my employers to have a place to go to get the answers about what prosecutorial discretion does to the status of the person they are dealing with.

Mr. MORTON. I will tell you right here for most of them it doesn't give them any status. It leaves them in administrative closure, but it does not grant any status whatsoever. E-Verify remains the place to go electronically to figure out if the person has work authorization. There could conceivably be a circumstance in which a rare case a person has work authorization, we close their case, they still have work authorization, but that is going to be one in 1,000. Most of these folks—

Mr. CARTER. In reality, Director, my employer is asking this employee who has maybe worked for him several times very successfully, now, you went through this discretion. Does that make you okay? Oh, yeah, I am okay. So they need to know where to go. You are right, E-Verify is the solution. Thank you for what you do.

Mr. MORTON. Thank you.

Mr. ADERHOLT. Ms. Roybal-Allard.

NATIONAL DETENTION STANDARDS

Ms. ROYBAL-ALLARD. Director Morton, I would like to go back to the issue of the disparities that exist in State and local jails that are in conflict with even ICE's own standards very, very often. These disparities between the rules that govern jails in different jurisdictions across the country are a concern, especially since 70 percent of the people in ICE custody are actually housed in these jails. I am told by correctional experts that these disparities will continue to present a major challenge until they are addressed, hopefully as you work to implement these long overdue national standards.

Can you explain how the performance-based national detention standards will address these conflicts between the rules that govern jails in different jurisdictions, including ICE's own standards, and what will you do if a jail refuses to comply with the standards?

Secondly, there has been some concern raised that the standards themselves do not include some very important areas. For example, it does not address the issue of a Taser, so that if someone is ar-

rested in one city they get Tasered, if they are arrested somewhere else they do not. Also the rules that deal with standards relating to search and seizures, strip searches, visitation and other key issues I am told are not adequately, if addressed at all, in these standards. So if you could also explain that, because that seems like they should be actually highlighted and put into the standards and made very, very clear that this should be a national standard.

Mr. MORTON. So here is how it works. So for all of the—so there are a few facilities that we completely control, and those, implementation can be immediate. The vast majority of the facilities that we use we use by contract.

Ms. ROYBAL-ALLARD. Seventy percent, I am told.

Mr. MORTON. So for those facilities we impose the standards by way of a contract renegotiation, and that is what we will do. If anyone refuses to comply, then they no longer have our business. This is not optional.

With regard to concerns that some of the areas you mentioned are not adequately addressed, I haven't heard that, the Taser one in particular. But what I would suggest is maybe if you have a list of the ones that you are concerned about that people have given you, where you feel or others feel our standards are not up to snuff—

Ms. ROYBAL-ALLARD. This is actually a statement made by Steven Martin, who was the former general counsel of the Texas prison system and who is now a consultant to the Los Angeles Sheriff's Department and the DHS Office of Civil Rights and Civil Liberties. This was a statement made at a conference on detention issues, and I will give you that information.

Mr. MORTON. If you will, because I don't believe ICE even uses Tasers, even though we are authorized to.

Ms. ROYBAL-ALLARD. No, ICE does not. The concern raised was that, for example, if someone is arrested in Denver, that they can use a Taser, but if they are arrested in Fort Lauderdale, then a Taser would not be used. So that is the differences in the various jurisdictions. And that the national standards that have been put forward do not include those specific kinds of things. That was the concern that was raised.

Mr. MORTON. Understood. If we could follow up with your staff, I would appreciate it.

[The information follows:]

Mr. Morton's comeback to Representative Roybal-Allard. Understood. If we could follow up with your staff, I would appreciate it.

Update:

ICE is coordinating a meeting with the Congresswoman's staff.

NATIONAL DETENTION STANDARDS

Ms. ROYBAL-ALLARD. I would appreciate it. Thank you.

Mr. ADERHOLT. There is some concern about several jurisdictions that have passed ordinances precluding their law enforcement from honoring ICE detainees. How many individuals have been released from local custody before ICE has been able to pick them up?

Mr. MORTON. As a matter of sanctuary movements, there are a lot of people that are released because we are far away and by the

time we get there they are released and it is not a matter of the sanctuary movement. But in terms of sanctuary cities, a considerable number. We are right now in very, as you know, significant discussions with Cook County, Illinois. They have ceased honoring all of our detainees. They release literally thousands of very serious offenders every year that we would want to take and put into immigration proceedings, so that is a jurisdiction of particular concern right now. It is the one jurisdiction I would say where the issue is most pronounced, Mr. Chairman.

Most of the other jurisdictions where we have this issue, it tends to be more focused on lower level offenders and the detainees are honored for all of the major offenders. But we are tracking all of the detainees that are not honored in Cook County right now. We could get you that number. I already know it is several hundred. And I just don't know the answer with regard to the other sanctuary cities that we face, but there are a number of them.

Mr. ADERHOLT. Do you track all of the jurisdictions?

Mr. MORTON. I don't know the answer to that. I know that we are tracking Cook County very carefully, but let me get back to you on that and let you know. My position on this has been clear. Obviously, I think that Federal law is preeminent here and we need cooperation from the jurisdictions.

[The information follows:]

Representative Aderholt. How many individuals have been released from local custody before ICE has been able to pick them up because of a bar on detainee recognition by a jurisdiction?

RESPONSE:

ICE Enforcement and Removal Operations is not able to statistically track the reason as to why a detainee is still active (e.g. alien is still serving a sentence, alien was released prior to ICE having the ability to take custody, or alien was released because the local law enforcement agency did not honor the detainee).

COOK COUNTY

Mr. ADERHOLT. I understand you have exchanged letters with Cook County, Illinois, on the seriousness of this issue and have offered to refund certain costs. Is that type of arrangement unusual?

Mr. MORTON. It is—one thing, I don't think we will actually—our proposal is essentially that there would be no cost to anybody. We are committing to—if Cook County is concerned that there is an additional cost of detaining people because we are taking a day or two to get there, we are committing to say fine, we will pick people up the moment of their release. And we don't believe there is any cost. We are so confident of that, were there any additional cost, we will reimburse you.

I have seen it reported in the paper that we are offering to pay. We are only offering to pay if we don't meet our obligation of showing up at the moment of release, which we are willing to do.

Mr. ADERHOLT. That would be anywhere?

Mr. MORTON. Anywhere. So I don't think that we would be—the one thing that we would be doing a little bit differently in Cook County is that we would agree to a response on the day of release. Cook County is one of the two largest releasers of serious offenders in the country, the other being the New York prison system. So even though there is a commitment there that is a little more ag-

gressive on timing, it is well worth it, given the number of serious offenders that are coming out of Cook County. It is a very serious concern for us. We do not think it is a good idea that hardened felons are being released to the streets of Cook County.

Mr. ADERHOLT. What is the next step in terms of the administration's position on State and local jurisdictions that are undermining Federal law? Will there be any judicial action taken?

Mr. MORTON. Well, I am trying, as you know, to get to a good place short of that. Federal law prohibits these sorts of sanctuary provisions, particularly ones as strong as is the case in Cook County. The enforcement of it under Federal law though is not entirely clear, and probably we would need to get the Department of Justice's assistance to enjoin a given city if they persisted in refusing to cooperate with us in a way that violates Federal law.

We have never actually gotten there. Cook County is the first jurisdiction that has actually refused to cooperate across all classes of offenders, and so I would say I want to try to get to a good place with them first, and then if necessary we will go to the Department of Justice and consider what options we have under the law. And I said as much in my letter to Mrs. Preckwinkle.

INVESTIGATIONS

Mr. ADERHOLT. Well, ICE has made great strides in taking a strategic approach to its investigations and seeking to assess the impact of its investigations on disrupting and dismantling transnational criminal activity. Can you provide us with some particular examples of the results ICE is seeing?

Mr. MORTON. So we arrested, criminally arrested 41,000 people last year, and we have seen a very strong increase in our overseas criminal investigations, particularly those focused on transnational criminal organizations. Most people probably don't realize that one of the most common charges we bring is a narcotics offense. We are very, very involved in organized narcotics smuggling. We are very involved in organized child pornography, particularly rings over the Internet. A lot of that is overseas. The intellectual property enforcement is increasingly—

HUMAN TRAFFICKING

Mr. ADERHOLT. What about human trafficking?

Mr. MORTON. Human trafficking, we had the highest number of human traffic cases we ever investigated and prosecuted last year. And as I mentioned earlier, at least while I am in charge, we are going to continue to do that, come hell or high water. So I think that the transnational organized crime threat is very serious. I am very worried about some of the trends over the Internet. And so you are going to see from our end continued focus on trying to dismantle these organizations and take them out by the roots.

DETENTION BEDS

Mr. ADERHOLT. Thank you. Mr. Price.

Mr. PRICE. Thank you. In this final round, let me bring up this rather strange phenomenon that we have in the statute governing your activity, that is to say a statutory requirement that you have

so many detention beds. That is a real outlier. As far as I know, the Bureau of Prisons doesn't have any minimum number of required beds. The Marshals Service doesn't have a minimum number of required beds. I don't know of any State Department of Corrections that has a minimum number of required beds. But yet ICE has a minimum number of required beds.

Now, you are trying to develop a more rational and more flexible policy as to who occupies those beds, and I want to ask you whether this rigid statutory minimum makes any sense given the kind of decisions you need to make, and whether it is even consistent with the kind of decisions you are trying to make?

You are now required by the fiscal 2012 appropriations bill to utilize no less than 34,000 detention beds at a cost of about \$1.5 billion. Now, your 2013 budget requests fewer detention beds, 32,800 detention beds. But then you make your proposal as to the flexibility you want to develop to transfer funds between immigration detention and the alternatives to detention program, which, of course, will be commensurate with the level of risk a detainee presents. Now, if these transfers were to occur, of course it could mean more or less detention beds being utilized in 2013.

So I wonder how this flexibility proposal is going to work. Does it mean that ICE could utilize fewer than 32,800 detention beds in 2013? If so, of course, the question is why would we need to have a statutory bed floor at all?

And then I also know you are developing this risk classification assessment tool. That sounds like a very good idea to me. The idea is to get a uniform means for ICE agents and officers to decide whom to detain and whom to release from detention. Now, if that automated risk assessment tool is deployed as planned this spring, it could have a real impact on our detention practices and costs. Is that compatible with the current, or really any per day statutory bed requirement? Does that statutory requirement threaten the effectiveness of this risk classification assessment that you are developing?

I think you see where I am going with this. What do you have to say about the efforts that you have underway to make these decisions intelligently and what can you report about that? And then, is that compatible with the statutory floor?

ATD

Mr. MORTON. So on risk classification, you are exactly right, we are about to implement nationwide a uniform standard of risk classification for detention purposes. And when we do this, it is going to be a major reform, because it is going to bring great uniformity to the question of whether or not somebody gets detained, which is important for the individual involved, it is important to us in terms of whether or not somebody gets removed, and it is important in terms of budgetary considerations. So I think we will look back on risk classification as one of the more important reforms of the last couple of years.

The idea behind the budget, as you noted, is to try to build in a sense of flexibility, and alternatives to detention hold great promise if we can achieve expedited consideration of them, and it is not at all inconceivable that we could have a very large number of peo-

ple on ATD, assuming we can get their cases heard well, and that means that there is less of a need for hard detention, which is much more expensive.

Obviously we are operating in the context of the last couple of budgets so that the proposal was to begin this conversation with the Committee with a reduced number of hard beds and this concept of flexibility, and we would be more than willing to work with the Committee to sort of continue that conversation and build in more flexibility and less reliance on a particular hard number.

The challenge is going to be for us is to demonstrate that ATD works and works well for the Committee and so the Committee has confidence that when we say we are going to remove people, we will.

Mr. PRICE. Well, of course, that is the larger issue. Having a risk assessment tool that does the job and also having a viable alternative to hard detention where that is called for. In my view, as that policy is developed and as those alternatives are developed, the case for a statutory floor on the number of beds is going to become less and less necessary.

Thank you, Mr. Chairman.

Mr. ADERHOLT. Thank you, Mr. Price.

Director Morton, we appreciate your testifying before us today. Clearly we have a number of concerns about budget execution in the current fiscal year, as well as the request for fiscal year 2013. As Mr. Carter had mentioned, we do have questions about the use of prosecutorial discretion and expect to receive data on its use.

Can you provide us that data to the Subcommittee by the end of the week?

Mr. MORTON. Sure. I don't see why not. We keep it subject to your oversight.

[The information follows:]

Representative Aderholt -- Provide all statistics to-date on Prosecutorial Discretion?

RESPONSE:

As you may be aware, the U.S. Department of Homeland Security (DHS) has been engaged in an ongoing review of thousands of cases currently on immigration court dockets. The goal of this review has been to speed the removal of criminal aliens and other priority aliens from the United States. The cases of individuals who are determined to not be a priority for enforcement, based on the criteria set forth in the June 2010 memorandum on civil enforcement priorities and the June 2011 memoranda on prosecutorial discretion, are being administratively closed. So far, the results of the review have been as follows:

Total Cases Reviewed

- As of March 5th, U.S. Immigration and Customs Enforcement (ICE) attorneys, with the assistance of other DHS attorneys, have reviewed 142,212 non-detained cases with approximately 13,175, or 9%, identified as provisionally amenable to the exercise of prosecutorial discretion, pending the results of the background checks.
- As of March 5th, ICE attorneys, with the assistance of other DHS attorneys, have reviewed 23,259 detained cases with 17, or less than 1%, identified as provisionally amenable to the exercise of prosecutorial discretion, pending the results of background checks.

Outcomes

- As of March 5th, 1569 cases have been administratively closed or dismissed as a result of the case-by-case review.

Mr. ADERHOLT. Just to follow up with what Mr. Price mentioned, given the workload for the Detention and Removal Operation as a result of Secure Communities and the Criminal Alien Program as well as the significant illegal population that now exists in this country, I don't see that there is any reason that ICE could not utilize 34,000 beds, and I appreciate your commitment that that is the law. Perhaps you could work with your staff to provide a plan by the end of next week, on how you plan to utilize those 34,000 beds so we can make that happen, as you say, because it is the law.

So, again, thank you for being here today and for your candor before the Subcommittee, and at this point the hearing is adjourned.

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE Robert Aderholt

Director John Morton, Immigration & Customs Enforcement

Committee on Appropriations
Subcommittee on Homeland Security
FY 2013 Budget Request – ICE
March 8, 2012

Reception and Representation Funds

1. **Question:** How does ICE plan to utilize its reception and representation expenses in FY 2013?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) plans to use the reception and representation expenses in fiscal year (FY) 2013 on our annual ICE stakeholders' event scheduled for December 2012. Additionally, there will be many occasions throughout the FY when representation funds will be expended to extend official courtesies to guests of the United States, for the purpose of maintaining the standing and prestige of the United States. These occasions are scheduled as needed and are not recurring. The funds will be expended on gifts, mementos, meals, and refreshments.

2. **Question:** To date, how much has been spent in FY 2012, and what is the plan for the remainder of the fiscal year? Please provide details for each expenditure.

ANSWER: In fiscal year 2012, to date, U.S. Immigration and Customs Enforcement (ICE) has spent \$6,483.38. ICE plans to spend the remaining funds to extend official courtesies to guests of the United States for the purpose of maintaining the standing and prestige of the United States. The funds will be expended on gifts, mementos, meals, and refreshments.

Date of Event	Purpose	Amount
November 30, 2011	Homeland Security Investigations (HSI) briefing for foreign liaison officers.	\$188.09
December 15, 2011	ICE stakeholder event to recognize the support given to ICE in 2011 to achieve the mission and to promote the same continued support and partnership in 2012. Stakeholders included international, public, and private sector partners.	\$3,197.23
December 15, 2011	ICE stakeholder event to recognize the support given to ICE in 2011 to achieve the mission and to promote the same continued support and partnership in 2012.	\$101.25

Date of Event	Purpose	Amount
	Stakeholders included international, public, and private sector partners.	
December 15, 2011	Community outreach with non-governmental organizations to discuss their concerns about the potential audits on local janitorial contractors, ICE program in the City of Escondido in relationship to law enforcement and the community, and the implementation of prosecutorial discretion relating to individual cases.	\$81.07
January 18, 2012	ICE, CBP and USSS coordinated working lunch meeting for 20 Congressional staff and senior Panamanian government officials, including Director of Panamanian National Police and Chief of Staff for the Attorney General of Panama. Meeting held to discuss and support coordination and strategic planning for Department of Homeland Security (ICE, U.S. Customs and Border Protection, and U.S. Coast Guard) programs in Panama/Central America.	\$1,331.60
February 2, 2012	Meeting to discuss the Interior Repatriation Initiative and Biometrics Collection Project in Mexico. This meeting involved ICE leadership and foreign dignitaries from Mexico.	\$383.40
February 23, 2012	Community outreach with non-governmental organizations to discuss their concerns about the follow-up on the ICE program in Escondido, the new national development on Prosecutorial Discretion, and how Prosecutorial Discretion is being used in San Diego.	\$38.47
March 6, 2012	Rodolfo Alvarez, Director of Chilean Customs, visited Washington, D.C., on a U.S. Department of State International Leadership Program. He specifically wanted to receive a briefing about the best practices of the United States in terms of discovery and detention of privacy and counterfeited goods and the role of HSI in supporting intellectual property rights protection. Director Alvarez is a valued partner of HSI internationally.	\$95.92
March 6, 2012	Provide refreshments to dignitaries who met with Director Morton.	\$11.35
March 12, 2012	ICE leadership and dignitaries from Mexico's Tax Administration Service (SAT) held a dinner meeting to discuss joint cases and the upcoming Executive Steering Committee meeting with SAT.	\$805.00
March 27, 2012	HSI in Massena, New York, opened the Border Enforcement Security Task Force (BEST) office. HSI is sponsoring a Title 19 cross-designation 2-day training seminar for foreign, state, and local law enforcement	\$250.00

Date of Event	Purpose	Amount
	officers assigned to the Massena BEST Unit.	

Travel

3. **Question:** Please provide for the record a table that shows all funds expended by ICE political employees for travel in FY 2011. Include name of individual traveling, purpose of travel, location(s) visited, total days/partial days, and total cost.

ANSWER: The table below shows U.S. Immigration and Customs Enforcement's (ICE) political employees' travel in fiscal year 2011:

Traveler Name	Reason for Travel	Begin Date	End Date	Departure City	Destination City 1	Destination City 2	Destination City 3	Destination City 4	Destination City 5	Destination City 6	Actual Costs
Barr, Suzanne E	Foreign Travel	10/17/2010	10/5/2010	Washington, D.C.	Paris, France	Brussels, Belgium	Washington, D.C.				\$1,840.18
Barr, Suzanne E	Enforcement & Removal Operations Town hall	10/15/2010	10/22/2010	Washington, D.C.	Atlanta, GA	Charleston, SC	Washington, D.C.				\$2,746.61
Barr, Suzanne E	International Association of Chiefs of Police Conference	10/25/2010	10/26/2010	Washington, D.C.	Orlando, FL	Washington, D.C.					\$665.94
Barr, Suzanne E	Speech/Presentation	11/8/2010	11/8/2010	Washington, D.C.	Nashville, TN	Washington, D.C.					\$858.66
Barr, Suzanne E	Speech/Presentation	11/21/2010	11/22/2010	Alexandria, VA	San Juan, Puerto Rico	Alexandria, VA					\$870.69
Barr, Suzanne E	Speech/Presentation	11/29/2010	12/3/2010	Washington, D.C.	Mexico City, Mexico	Miami, FL	Washington, D.C.				\$2,785.61
Barr, Suzanne E	DHS Offsite Meeting	12/10/2010	12/11/2010	Washington, D.C.	Emmetsburg, MD	Washington, D.C.					\$95.93
Barr, Suzanne E	Speech/Presentation	12/19/2010	12/21/2010	Washington, D.C.	Los Angeles, CA	Washington, D.C.					\$875.35
Barr, Suzanne E	Program/Site Visit	2/11/2011	2/16/2011	Washington, D.C.	Los Angeles, CA	Washington, D.C.					\$2,568.76
Barr, Suzanne E	Cancellation Fee	2/22/2011	2/23/2011	Washington, D.C.	Los Angeles, CA	Sacramento, CA	San Francisco, CA	Houston, TX	Washington, D.C.		\$9.34
Barr, Suzanne E	Program/Site Visit	3/20/2011	3/23/2011	Washington, D.C.	Seattle, WA	Los Angeles, CA	Washington, D.C.				\$1,971.93
Barr, Suzanne E	Program/Site Visit	3/25/2011	3/29/2011	Washington, D.C.	Guatemala City, Guatemala	Washington, D.C.	Washington, D.C.				\$1,811.40
Barr, Suzanne E	Program/Site Visit	4/21/2011	4/21/2011	Washington, D.C.	Philadelphia, PA	Washington, D.C.					\$287.93
Barr, Suzanne E	Program/Site Visit	5/12/2011	5/12/2011	Washington, D.C.	Pittsburgh, PA	Washington, D.C.					\$1,274.67
Barr, Suzanne E	Colombia National Police Award Ceremony	5/18/2011	5/21/2011	Washington, D.C.	Bogota, Colombia	Cartagena, Colombia	Washington, D.C.				\$4,824.67
Barr, Suzanne E	Program/Site Visit	5/23/2011	5/24/2011	Washington, D.C.	Atlanta, GA	Washington, D.C.					\$569.39

Barr, Suzanne E	Program/Site Visit	1/23/2011	1/25/2011	Washington, D.C.	New York, NY	Washington, D.C.	Washington, D.C.					\$821.03
Barr, Suzanne E	Program/Site Visit	1/28/2011	2/3/2011	Washington, D.C.	London, United Kingdom	Paris, France	Washington, D.C.					\$3,784.42
Barr, Suzanne E	Program/Site Visit	2/4/2011	2/7/2011	Washington, D.C.	Dallas, TX	Washington, D.C.	Washington, D.C.					\$1,111.43
Barr, Suzanne E	Program/Site Visit	2/17/2011	2/22/2011	Washington, D.C.	Denver, CO	Salt Lake City, UT	Brownsville, TX			Washington, D.C.		\$3,430.18
Barr, Suzanne E	Illicit Pathways Attack Strategy Conference	6/15/2011	6/20/2011	Washington, D.C.	Panama City, Panama	Washington, D.C.						\$1,741.11
Barr, Suzanne E	NSA, WJFL, WCO, Meeting with London City Police Committee	6/20/2011	6/29/2011	Washington, D.C.	St. Louis, MO	Long Beach, CA	Brussels, Belgium			London, United Kingdom	Chicago, IL	\$6,473.79
Barr, Suzanne E	U.S. - Mexico Executive Steering Committee	6/30/2011	7/4/2011	Washington, D.C.	Santa Fe, NM	Washington, D.C.						\$1,465.39
Barr, Suzanne E	Public Outreach Press Event	7/8/2011	7/13/2011	Washington, D.C.	Phoenix, AZ	Washington, D.C.						\$1,902.36
Barr, Suzanne E	Bilateral Meetings Mexico	7/20/2011	7/25/2011	Washington, D.C.	Mexico City, Mexico	Cancun, Mexico	Washington, D.C.					\$1,577.38
Hale, Brian P	Information Meeting	10/1/2010	10/1/2010	Bethesda, MD	New York, NY	Bethesda, MD						\$448.55
Hale, Brian P	Cancellation Fee	11/4/2010	11/4/2010									\$58.06
Hale, Brian P	Information Meeting	11/8/2010	11/8/2010	Bethesda, MD	Nashville, TN	Bethesda, MD						\$1,358.84
Hale, Brian P	Program/Site Visit	11/10/2010	11/10/2010	Bethesda, MD	New York, NY	Washington, D.C.						\$588.76
Hale, Brian P	Information Meeting	11/30/2010	12/2/2010	Washington, D.C.	Miami, FL	Washington, D.C.						\$1,984.54
Hale, Brian P	Information Meeting	12/13/2010	12/15/2010	Bethesda, MD	Los Angeles, CA	Bethesda, MD						\$1,256.24
Hale, Brian P	Information Meeting	1/24/2011	1/25/2011	Washington, D.C.	New York, NY	Washington, D.C.						\$569.69
Hale, Brian P	Information Meeting	1/25/2011	1/25/2011	Newark, NJ	Washington, D.C.	Washington, D.C.						\$234.19

Hale, Brian P	Official Ceremony	2/21/2011	2/22/2011	Bethesda, MD	Brownsville, TX	Bethesda, MD				\$1,274.44
Hale, Brian P	Public Affairs Representation	3/15/2011	3/16/2011	Bethesda, MD	New York, NY	Bethesda, MD				\$898.56
Hale, Brian P	Cancellation Fee	4/8/2011	4/10/2011	Bethesda, MD	San Francisco, CA	Bethesda, MD				\$34.26
Hale, Brian P	Cancellation Fee	4/20/2011	4/21/2011	Bethesda, MD	Phoenix, AZ	Bethesda, MD				\$34.26
Hale, Brian P	Program/Site Visit	4/28/2011	4/28/2011	Bethesda, MD	Detroit, MI	Bethesda, MD				\$514.91
Hale, Brian P	Speech/Presentation	5/11/2011	5/12/2011	Bethesda, MD	Pittsburgh, PA	Bethesda, MD				\$417.53
Hale, Brian P	Information Meeting	6/15/2011	6/15/2011	Bethesda, MD	New York, NY	Bethesda, MD				\$543.94
Hale, Brian P	Program/Site Visit	6/23/2011	6/23/2011	Bethesda, MD	Chesapeake, VA	Bethesda, MD				\$268.13
Hale, Brian P	Program/Site Visit	6/28/2011	7/2/2011	Bethesda, MD	London, United Kingdom	Amsterdam, Netherlands	Bethesda, MD			\$3,860.32
Hale, Brian P	Cancellation Fee	7/27/2011	7/28/2011	Bethesda, MD	Chicago, IL	Bethesda, MD				\$9.34
Hale, Brian P	Information Meeting	8/23/2011	8/24/2011	Bethesda, MD	New York, NY	Bethesda, MD				\$969.30
Hale, Brian P	Training	9/19/2011	9/22/2011	Bethesda, MD	Gettysburg, PA	Bethesda, MD				\$111.49
Hale, Brian P	Information Meeting	10/20/2010	10/25/2010	Bethesda, MD	Charleston, SC	Bethesda, MD				\$891.41
Kistner, Timothy	Other	10/14/2010	10/14/2010	Washington, D.C.	Jacksonville, FL	Washington, D.C.				\$644.95
Landy, Kevin J	Program/Site Visit	1/26/2011	1/30/2011	Washington, D.C.	Fort Lauderdale, FL	Washington, D.C.				\$1,333.43
Landy, Kevin J	Program/Site Visit	2/9/2011	2/10/2011	Washington, D.C.	Trenton, NJ	Washington, D.C.				\$490.33
Landy, Kevin J	Program/Site Visit	3/6/2011	3/10/2011	Washington, D.C.	Phoenix, AZ	El Paso, TX	Washington, D.C.			\$2,032.41
Landy, Kevin J	Cancellation Fee	3/28/2011	3/28/2011	Washington, D.C.	Washington, D.C.	Washington, D.C.				\$27.76
Landy, Kevin J	Conference	4/13/2011	4/14/2011	Washington, D.C.	Dallas, TX	Washington, D.C.				\$1,294.09
Landy, Kevin J	Information Meeting	5/25/2011	5/25/2011	Washington, D.C.	Washington, D.C.	Washington, D.C.				\$17.76

Morton, John T	Cancellation Fee	2/4/2011	2/4/2011	VA	Dallas, TX	D.C.	Alexandria, VA					\$46.19
Morton, John T	Program/Site Visit	2/11/2011	2/16/2011	Alexandria, VA	Los Angeles, CA	Sacramento, CA	Alexandria, VA	Houston, TX				\$2,014.56
Morton, John T	Official Ceremony	2/21/2011	2/22/2011	Alexandria, VA	Brownsville, TX	Alexandria, VA	Alexandria, VA					\$1,184.04
Morton, John T	Program/Site Visit	3/20/2011	3/22/2011	Alexandria, VA	Seattle, WA	Alexandria, VA	Alexandria, VA					\$1,826.45
Morton, John T	Spoke at ERO Town hall	4/1/2011	4/12/2011	Alexandria, VA	Dallas, TX	Alexandria, VA	Alexandria, VA					\$775.14
Morton, John T	Program/Site Visit	4/15/2011	4/15/2011	Alexandria, VA	Detroit, MI	Alexandria, VA	Alexandria, VA					\$482.67
Morton, John T	Cancellation Fee	4/20/2011	4/21/2011	Alexandria, VA	Phoenix, AZ	Alexandria, VA	Alexandria, VA					\$9.34
Morton, John T	Program/Site Visit	4/21/2011	4/21/2011	Washington, D.C.	Philadelphia, PA	Washington, D.C.	Washington, D.C.					\$322.19
Morton, John T	Speech/Presentation	4/28/2011	4/28/2011	Washington, D.C.	New York, NY	Washington, D.C.	Washington, D.C.					\$532.71
Morton, John T	Foreign Travel	5/2/2011	5/4/2011	Alexandria, VA	Mexico City, Mexico	Alexandria, VA	Alexandria, VA					\$1,501.37
Morton, John T	Meetings with State and Local Officials	5/6/2011	5/6/2011	Alexandria, VA	Chicago, IL	New York, NY	New York, NY					\$346.33
Morton, John T	Speech/Presentation	5/12/2011	5/12/2011	Alexandria, VA	Pittsburgh, PA	Alexandria, VA	Alexandria, VA					\$1,274.67
Morton, John T	Colombia National Police Award Ceremony	5/18/2011	5/20/2011	Alexandria, VA	Bogota, Colombia	Alexandria, VA	Alexandria, VA					\$2,555.27
Morton, John T	Cancellation Fee	5/25/2011	5/25/2011	Alexandria, VA	New York, NY	Alexandria, VA	Alexandria, VA					\$9.34
Morton, John T	Industry Outreach	6/6/2011	6/7/2011	Alexandria, VA	New York, NY	Alexandria, VA	Alexandria, VA					\$538.63
Morton, John T	Industry Outreach, IPR, and Legal	6/15/2011	6/16/2011	Alexandria, VA	New York, NY	San Diego, CA	Alexandria, VA					\$1,876.94
Morton, John T	Cancellation Fee	6/30/2011	7/1/2011	Alexandria, VA	Santa Fe, NM	Alexandria, VA	Alexandria, VA					\$9.34
Morton, John T	Program/Site Visit	7/14/2011	7/14/2011	Alexandria, VA	Boston, MA	Alexandria, VA	Alexandria, VA					\$572.67

Morton, John T	Congressional Delegation	8/11/2011	8/12/2011	VA	Birmingham, AL	Jacksonville, FL	Alexandria, VA				\$1,174.52
Morton, John T	Spoke at Assistant Special Agents in Charge Conference	8/15/2011	8/16/2011	Alexandria, VA	New Orleans, LA	Alexandria, VA					\$832.09
Morton, John T	Cancellation Fee	8/24/2011	8/27/2011	Alexandria, VA	Mexico City, Mexico	Alexandria, VA					\$37.11
Morton, John T	Spoke at Diminishing Manufacturing Sources/Material Shortages Program (Defense Logistics Agency)	8/31/2011	9/1/2011	Alexandria, VA	Miami, FL	Alexandria, VA					\$807.59
Morton, John T	Program/Site Visit	9/6/2011	9/7/2011	Alexandria, VA	Glynco, GA	Alexandria, VA					\$858.99
Morton, John T	Program/Site Visit	9/9/2011	9/10/2011	Alexandria, VA	New York, NY	Alexandria, VA					\$628.47
Morton, John T	Speech/Presentation	9/16/2011	9/17/2011	Alexandria, VA	Madison, WI	Chicago, IL	Alexandria, VA				\$643.74
Morton, John T	Bilateral Meeting, Interpol	9/20/2011	9/22/2011	Alexandria, VA	Madrid, Spain	Alexandria, VA					\$1,912.47
Morton, John T	Program/Site Visit	1/28/2011	2/3/2011	Alexandria, VA	London, United Kingdom	Paris, France	Alexandria, VA				\$3,782.19
Morton, John T	NSA, WIFILE WCO, Meeting with London City Police Committee	6/20/2011	6/28/2011	Alexandria, VA	St. Louis, MO	Long Beach, CA	Brussels, Belgium	London, United Kingdom	Chicago, IL	Alexandria, VA	\$6,338.18

Morton, John T	1) U.S. Attorney Meeting; 2) HSI Case Briefing in FL; 3) SAC visit at Seoport, Tampa; 4) NASA; 5) Agent Zapata Family/CBP Border Tour	7/7/2011	7/10/2011	Alexandria, VA	Cape Canaveral, FL	Corpus Christi, TX	Alexandria, VA			\$2,440.00
Vincent, Peter	Cancellation Fee	11/15/2010	11/19/2010	Washington, D.C.	Quito, Peru	Bogota, Colombia	Cartagena, Colombia			\$67.09
Vincent, Peter	Information Meeting	11/15/2010	11/19/2010	Washington, D.C.	Quito, Peru	Bogota, Colombia	Cartagena, Colombia			\$4,215.89
Vincent, Peter	Training	12/5/2010	12/8/2010	Washington, D.C.	Guatemala City, Guatemala					\$712.97
Vincent, Peter	Information Meeting	1/24/2011	1/25/2011	Alexandria, VA	El Paso, TX					\$646.57
Vincent, Peter	Program/Site Visit	2/7/2011	2/8/2011	Washington, D.C.	New York, NY					\$700.09
Vincent, Peter	Program/Site Visit	2/21/2011	2/22/2011	Washington, D.C.	Brownsville, TX					\$1,266.99
Vincent, Peter	Program/Site Visit	3/14/2011	3/18/2011	Alexandria, VA	Dallas, TX	Atlanta, GA				\$1,377.06
Vincent, Peter	Program/Site Visit	3/28/2011	4/1/2011	Alexandria, VA	San Juan, Puerto Rico					\$2,126.52
Vincent, Peter	Program/Site Visit	4/13/2011	4/14/2011	Alexandria, VA	Dallas, TX					\$772.42
Vincent, Peter	Cancellation Fee	4/18/2011	4/18/2011	Alexandria, VA	Chicago, IL					\$9.34
Vincent, Peter	Program/Site Visit	4/20/2011	4/20/2011	Alexandria, VA	Philadelphia, PA					\$322.19
Vincent, Peter	Conference	4/22/2011	4/29/2011	Alexandria, VA	Bangkok, Thailand					\$2,292.88
Vincent, Peter	Foreign Travel	5/18/2011	5/20/2011	Alexandria, VA	Bosona, Colombia					\$2,381.51
Vincent, Peter	Program/Site Visit	5/31/2011	6/1/2011	Alexandria, VA	Orlando, FL					\$68.52
Vincent, Peter	Program/Site Visit	6/15/2011	6/17/2011	Alexandria, VA	San Diego, CA					\$1,006.31

Contracts

4. **Question:** Please provide for the record the number of noncompetitive contracts ICE has entered into in FY 2011, what is anticipated in FY 2012 and FY 2013. Include an explanation as to why a non-competitive contract was chosen. As part of this response, please clearly delineate other transactional agreements and those purchases made from the GSA approval listings.

ANSWER: U.S. Immigration and Customs Enforcement (ICE) entered into 564 noncompetitive contracts in fiscal year (FY) 2011. A table of these contracts is provided below. ICE's competition rate for FY 2011 was 83.1 percent, 16.9 percent above the goal of 66.2 percent set by the U.S. Department of Homeland Security (DHS). ICE's competition rate goal set by DHS for FY 2012 is 78 percent. ICE fully expects to exceed this goal. It is anticipated that the FY 2013 competition rate will be similar to the FY 2012 goal.

CONTRACT NUMBER	CONTRACTOR	PURPOSE	DOLLAR AWARD	CONTRACT START DATE	CONTRACT END DATE	REASON OTHER THAN FULL AND OPEN COMPETITION
HSCECR08P00008	MAVAGI ENTERPRISES, INC.	GROUND MAINTENANCE. MODIFICATION PROVIDES FUNDING FOR ONE MONTH OF SERVICE.	\$17,532.32	11/9/2010	9/30/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR08P00008	MAVAGI ENTERPRISES, INC.	PIDC GROUND MAINTENANCE. MODIFICATION PROVIDES ONE MONTH OF FUNDING.	\$17,532.32	11/10/2010	9/30/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR08P00008	MAVAGI ENTERPRISES, INC.	GROUND MAINTENANCE AT PIDC - ADD FUNDING TO CLINS 0010, 0019, 0020, 0021, AND 0022 FOR OCTOBER 2011 THROUGH NOVEMBER 2011.	\$35,064.64	8/15/2011	11/30/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR08P00008	MAVAGI ENTERPRISES, INC.	GROUND MAINTENANCE AT PIDC - ADD FUNDING TO CLINS 0010, 0019, 0020, 0021, AND 0022 FOR JULY 2011 THROUGH SEPTEMBER 2011.	\$52,596.96	6/21/2011	9/30/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR09F00033	IJET INTERNATIONAL, INC.	DATABASE ACCESS FOR FIVE (5) USERS.				ONLY ONE SOURCE - INTELLIGENCE BRIEFINGS CONTAINING LAW ENFORCEMENT SENSITIVE INFORMATION.
HSCECR09P00002	SAFETY, NEW HAMPSHIRE DEPARTMENT OF	ACCESS TO NEW HAMPSHIRE STATE POLICE COMPUTER SYSTEM (SPOTS).	\$4,032.00	5/5/2011	6/18/2014	ONLY ONE SOURCE.
			\$4,500.00	9/1/2011	8/31/2013	

HSCECR09P00030	STATE POLICE, PENNSYLVANIA DEPARTMENT OF	LEASE OF ANNUAL DATA CIRCUIT AND CLEAN DATA CIRCUIT CONNECTION FROM PA STATE POLICE - SINGLE SOURCE.	\$3,500.00	9/29/2011	9/30/2012	ONLY ONE SOURCE
HSCECR09P00030	STATE POLICE, PENNSYLVANIA DEPARTMENT OF	LEASE OF ANNUAL DATA CIRCUIT AND CLEAN DATA CIRCUIT CONNECTION FROM PA STATE POLICE - SINGLE SOURCE.	\$3,500.00	10/21/2010	9/30/2013	ONLY ONE SOURCE.
HSCECR09P00044	FEDERAL LAW ENFORCEMENT TRAINING CENTER RECREATION ASSOCIATION	FIRING RANGE FLETC, CHELTENHAM FACILITY.				
HSCECR09P00076	STATE OF CONNECTICUT DEPARTMENT OF PUBLIC SAFETY	DATABASE ACCESS.	\$24,959.98	1/25/2011	1/25/2012	ONLY ONE SOURCE.
HSCECR09P00093	AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM	ACCESS TO CRIMINAL DATABASES.	\$3,413.30	7/1/2011	6/30/2013	ONLY ONE SOURCE.
HSCECR09P00116	POMONA, CITY OF (INC.)	FIRING RANGE USE.	\$20,707.08	5/19/2011	6/30/2014	ONLY ONE SOURCE.
HSCECR10P00040	HOUSEHOLD DRIVERS REPORT, INC.	ACCESS TO DATABASE - HOUSEHOLD DRIVER'S REPORT.	\$3,000.00	3/1/2011	3/4/2011	ONLY ONE SOURCE.
HSCECR10P00040	HOUSEHOLD DRIVERS REPORT, INC.	ACCESS TO DATABASE - HOUSEHOLD DRIVER'S REPORT.	\$1,000.00	3/28/2011	3/7/2015	ONLY ONE SOURCE.
HSCECR10P00121	FIVE STAR PARKING	PARKING SPACES (SAN FRANCISCO).	\$1,500.00	7/5/2011	3/7/2015	ONLY ONE SOURCE.
			\$84,800.00	2/23/2011	6/30/2011	ONLY ONE SOURCE.

HSCECR11P00001	ISLIP, TOWN OF	FIRING RANGE USAGE FOR ICE OFFICER FIREARMS QUALIFICATIONS.	\$7,200.00	11/16/2010	12/17/2010	ONLY LAW ENFORCEMENT FIRING RANGE IN THE LOCAL AREA.
HSCECR11P00002	NATIONAL LABOR COLLEGE, INC.	CONFERENCE ROOMS.				EMERGENCY PROCUREMENT; UNION MEETING; ONLY AVAILABLE LOCATION WHO CAN ACCOMMODATE UNION NEEDS.
HSCECR11P00004	UPS SUPPLY CHAIN SOLUTIONS, INC.	COMPUTER SHIPPING COSTS.	\$28,624.00	11/2/2010	11/19/2010	STRATEGIC SOURCING INITIATIVE.
HSCECR11P00017	TEJAS MINI STORAGE	STORAGE UNITS.	\$7,676.08	1/18/2011	1/18/2011	IT IS THE ONLY STORAGE FACILITY AVAILABLE LOCALLY.
HSCECR11P00018	EXECUTIVE OFFICE OF THE STATE OF NORTH CAROLINA	DATABASE ACCESS TO NC DATABASE.	\$6,636.00	2/15/2011	3/31/2014	PROPRIETARY ACCESS TO LOCAL LAW ENFORCEMENT DATABASES.
HSCECR11P00020	ABM INDUSTRIES, INC.	6 PARKING SPACES, MIAMI, FL.	\$2,000.00	2/15/2011	2/13/2012	THE ONLY AVAILABLE PARKING SPACE WITHIN THE LOCAL AREA THAT HAS 24/7 ACCESS AND SECURE.
HSCECR11P00021	QC TV CORP.	SATELLITE EXPANSION EQUIPMENT, HOUSTON TX.	\$9,720.00	2/16/2011	2/28/2012	EMERGENCY PROCUREMENT; ONLY AVAILABLE VENDOR WHO CAN COMPLETE REQUIREMENT AT LAST MINUTE.
			\$5,724.66	3/1/2011	3/23/2011	

HSCECR11P00025	CARTON COMPANY, LLC	PARKING SERVICES AT CHAMPLAIN SUBOFFICE (REFERENCE FY10 PO HSCECR-10-P-00046).	\$2,500.00	3/11/2011	3/10/2012	ACTION UNDER MICRO-PURCHASE THRESHOLD.
HSCECR11P00026	NATIONAL INDUSTRIES FOR THE BLIND	COPY PAPER (ABILITY ONE).				AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00028	FEDERAL PRISON INDUSTRIES, INC.	FURNITURE NEEDED IN ORDER TO COMPLETE NEWLY ACQUIRED SPACE FOR AN ADDITIONAL FUG OP TEAM. VENDOR: UNICOR GOV FURNITURE P/O/BOX 11890, LEXINGTON KY 4057-1890. POC: SHERRY WRIGHT.	\$19,596.96	3/14/2011	4/14/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00029	JDS UNIPHASE CORP.	DHS FIVE-SEALED ID POUCHES.	\$13,633.50	3/24/2011	6/30/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00030	PUBLIC SAFETY & CORRECTIONAL SERVICES, MD DEPARTMENT OF	CRIMINAL JUSTICE INDEXING SYSTEM OWNED BY THE STATE OF MARYLAND.	\$10,000.00	3/21/2011	4/30/2011	COMPANY HAS PROPRIETARY PROCESS THAT INPUTS THE EMBLEM ON THE DHS SEALED POUCHES USED FOR OUR CREDENTIALS.
HSCECR11P00031	COUNTY OF CLARK	CURRENT POP EXPIRES ON 3/31/2011. PRIOR YEAR CONTRACT #HSCECR-10-P-00058.	\$2,772.00	3/30/2011	3/31/2012	PROPRIETARY ACCESS TO LOCAL LAW ENFORCEMENT DATABASES.
			\$800.00	3/30/2011	5/31/2011	ACTION UNDER MICRO-PURCHASE THRESHOLD.

HSCECR11P00033	SACRAMENTO, CITY OF	PARKING FOR GOVERNMENT VEHICLES.					ONLY PARKING AREA THAT MET THE NEEDS OF THE PROGRAM OFFICE.
HSCECR11P00034	FEDERAL PRISON INDUSTRIES, INC.	FILE CABINETS.	\$24,300.00	4/1/2011	9/30/2011		FPI REQUIRED SOURCE IAW FAR PART 8.
HSCECR11P00036	KRP DATA SYSTEMS	MOBILE CRIMINAL JUSTICE INFORMATION SYSTEMS ACCESS (WEBLEDS).	\$5,013.00	4/5/2011	5/20/2011		ONLY ONE SOURCE.
HSCECR11P00036	KRP DATA SYSTEMS	MOBILE CRIMINAL JUSTICE INFORMATION SYSTEMS ACCESS (WEBLEDS).	\$1,000.00	8/5/2011	4/24/2016		ONLY ONE SOURCE.
HSCECR11P00037	FEDERAL PRISON INDUSTRIES, INC.	ICE ERO FIELD OFFICE SIGNS.	\$6,500.00	4/26/2011	4/24/2015		AWARDED AS SOLE SOURCE UNDER THE UNICOR PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00038	FIRST RESPONSE ADVANTAGE, INC.	CPR TRAINING.	\$25,846.54	4/28/2011	8/1/2011		THIS ORDER WAS RATIFICATION FOR UNAUTHORIZED COMMITMENT WITH VENDOR.
HSCECR11P00039	EUGENE, CITY OF	CITY OF EUGENE FIRING RANGE.	\$3,900.00	5/31/2011	5/31/2011		ONLY ONE SOURCE.
HSCECR11P00043	POMONA, CITY OF (INC.)	SOLE SOURCE POMONA FIRING RANGE.	\$2,400.00	9/13/2011	6/30/2014		ONLY ONE SOURCE.
HSCECR11P00044	COUNTY OF CLARK	COST OF USING THE FIREARMS RANGE FOR REQUIRED QUARTERLY QUALIFICATIONS FOR LAW ENFORCEMENT OFFICERS.	\$45,000.00	9/1/2011	8/31/2012		ONLY LAW ENFORCEMENT FIRING RANGE IN THE LOCAL AREA.
HSCECR11P00045	SAN DIEGO ASSOCIATION OF GOVERNMENTS	LAW ENFORCEMENT DATABASE ACCESS.	\$4,800.00	5/19/2011	5/31/2012		ONLY ONE SOURCE.
			\$15,846.00	8/18/2011	6/30/2012		

HSCECR11P00047	NATIONAL INDUSTRIES FOR THE BLIND	CONE CUPS REQUIRED SOURCE OF SUPPLY FOR MIRP 2011.		\$3,303.00	6/13/2011	6/24/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00048	NATIONAL INDUSTRIES FOR THE BLIND	OFFICE SUPPLIES.		\$5,393.87	6/13/2011	6/24/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00049	AMPCO SYSTEM PARKING	LEASE OF PARKING SPACES- SAN FRANCISCO FIELD OFFICE.		\$221,400.00	6/23/2011	12/31/2011	ONLY ONE SOURCE.
HSCECR11P00052	SHERBURNE, COUNTY OF (INC.)	RANGE AND CLASSROOM RENTAL FOR QUARTERLY FIREARMS AND DEFENSIVE TACTICS TRAINING. PERIOD OF PERFORMANCE: 07/23/2011 - 07/22/2012.		\$10,600.00	7/23/2011	7/22/2012	ONLY ONE SOURCE.
HSCECR11P00053	SANTA CLARA, COUNTY OF	AUTOMATED INFORMATION SYSTEM SVCS.		\$6,926.40	6/30/2011	6/30/2012	ONLY ONE SOURCE.
HSCECR11P00055	ENFORCEMENT TECHNOLOGY GROUP, INC.	MISSION ESSENTIAL EQUIPMENT FOR CNT (CRISIS NEGOTIATION TEAM).		\$13,229.99	7/13/2011	11/30/2011	ONLY ONE SOURCE.
HSCECR11P00057	J P INDUSTRIES, INC.	DAILY JANITORIAL SERVICES AT THE NOGALES BORDER PATROL STATION (MIRP).		\$3,263.96	7/6/2011	9/28/2011	ONLY ONE SOURCE.
HSCECR11P00058	DOCUMENT IMAGING DIMENSIONS, INC.	TONER CARTRIDGES AND SUPPLIES.		\$36,141.60	7/6/2011	9/30/2011	ONLY ONE SOURCE.

HSCECR11P00060	CUMMINS-ALLISON CORP.	PREVENTATIVE MAINTENANCE INSPECTION AGREEMENT - CUMMINS-ALLISON CORP. SHREDDER.	\$3,043.00	9/1/2011	8/31/2012	THE MANUFACTURER IS THE ONLY AUTHORIZED SERVICER OF SHREDDER EQUIPMENT.
HSCECR11P00061	FEDERAL PRISON INDUSTRIES, INC.	FURNITURE NEEDED FOR MORE DESK SPACE FOR DRA'S.	\$5,420.00	8/5/2011	9/18/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00062	FEDERAL PRISON INDUSTRIES, INC.	THE SAN ANTONIO ERO/ICE RESIDENT OFFICE REQUIRES FURNITURE FOR A CONFERENCE ROOM WHICH WILL BE UTILIZED TO CONDUCT EXECUTIVE MEETINGS AND OFFICER BRIEFINGS.	\$5,158.40	8/5/2011	9/19/2011	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCECR11P00064	PACER SERVICE CENTER	PUBLIC ACCESS TO COURT ELECTRONIC RECORDS (PACER).	\$4,000.00	8/4/2011	8/31/2012	ONLY ONE SOURCE.
HSCECR11P00066	FEDERAL PRISON INDUSTRIES, INC.	OFFICE FURNITURE FOR THE CONTINUATION OF THE SECURED COMMUNITIES INITIATIVE.	\$60,109.00	8/12/2011	9/30/2011	FPI REQUIRED SOURCE IAW FAR PART 8.
HSCECR11P00067	SAN ANTONIO LIGHTHOUSE FOR THE BLIND	OFFICE FURNITURE.	\$10,941.76	8/19/2011	9/30/2011	ONLY ONE SOURCE.

HSCECR11P00069	PHILADELPHIA, CITY OF	END USER LICENSING AGREEMENT (EULA) FOR ACCESS TO THE CITY OF PHILADELPHIA'S PRELIMINARY ARRAIGNMENT SYSTEM (PARS).	\$5,565.00	9/1/2011	8/31/2012	PROPRIETARY ACCESS TO LOCAL LAW ENFORCEMENT DATABASES.
HSCECR11P00071	LG, INC.	REQUISITION SUBMITTED FOR PURCHASE OF THE DRO EMBLEM REVISION TO THE ERO EMBLEM. ADDITIONALLY, PURCHASE OF THE ERO VECTOR ART (ERO EMBLEM ARTWORK) AND EMBLEMS. COTR, TONY ECCLESTON.	\$48,672.00	8/26/2011	9/30/2011	ONLY ONE RESPONSIBLE SOURCE.
HSCECR11P00073	INTERNATIONAL SATELLITE SERVICES, INC.	LIGHTSQUARED MSAT-G2 MOBILE SATELLITE RADIO MONTHLY SERVICE.	\$8,259.36	8/26/2011	8/31/2012	ONLY SOURCE THAT SERVICES CURRENT HARDWARE.
HSCECR11P00074	COUNTY OF SACRAMENTO	ACCESS TO CLETS LAW ENFORCEMENT DATA BASE.	\$4,800.00	8/29/2011	8/31/2012	PROPRIETARY ACCESS TO LOCAL LAW ENFORCEMENT DATABASES.
HSCECR11P00075	SANTA CLARA, COUNTY OF	SLETS ACCESS CHARGE TO PERFORM LAW ENFORCEMENT INVESTIGATIVE RESEARCH FOR ERO SAN JOSE SUB-OFFICE.	\$2,000.00	8/29/2011	8/31/2012	PROPRIETARY ACCESS TO LOCAL LAW ENFORCEMENT DATABASES.

HSCECR11P00076	CALIFORNIA HIGHWAY PATROLMAN'S CLUB	RENEWAL OF HSCECR11P00135. ERO-BKI RENTAL OF PISTOL RANGE FACILITIES NEEDED FOR MANDATORY FIREARMS QUALIFICATION AND TRAINING (CHP, 420 CLUB). FIRING RANGE FOR OFFICER QUALIFICATIONS.	\$6,000.00	8/29/2011	8/31/2012	ONLY LAW ENFORCEMENT FIRING RANGE IN THE LOCAL AREA.
HSCECR11P00077	WORCESTER, COUNTY OF	ACA AUDIT FOR IHSC TACOMA FACILITY.	\$3,000.00	8/29/2011	8/31/2012	ONLY LAW ENFORCEMENT FIRING RANGE IN THE LOCAL AREA.
HSCECR11P00084	AMERICAN CORRECTIONAL ASSOCIATION, THE	NEW ORLEANS STILL IN TEMP SPACE FROM HURRICANE KATRINA, STORAGE NEEDED FOR EXCESS PROPERTY, ETC. CONTINUATION OF HSCECR-08-P-00013.	\$9,000.00	9/8/2011	10/1/2011	ACCREDITATION REQUIREMENTS SPECIFIC TO PBNDS. MUST USE ACA. ONLY ONE SOURCE.
HSCECR11P00087	J B HOWARD & BARONNE STORAGE CENTER	JANITORIAL/GROUNDS SERVICES.	\$3,036.00	9/1/2011	8/31/2012	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM08C00003	ASSOCIATION FOR RETARDED CITIZENS - VENTURA COUNTY, INC.		\$15,650.04	9/30/2011	9/29/2013	

HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	INFRASTRUCTURE IMPROVEMENT TO THE PORT ISABEL SPC. THIS MODIFICATION IS TO PROVIDE FUNDING FOR CLINS 0004 AND 0005 FOR WATER TREATMENT AT PIDC THROUGH MARCH 14, 2011.	\$15,200.00	2/8/2011	3/8/2011	UTILITIES FAR 41.2.
HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	INFRASTRUCTURE IMPROVEMENT TO THE PORT ISABEL SPC. THIS MODIFICATION IS TO PROVIDE FUNDING FOR CLINS 0004 AND 0005 FOR WATER TREATMENT AT PIDC THROUGH MARCH 14, 2011.	\$16,700.00	4/8/2011	9/29/2013	UTILITIES FAR 41.2.
HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	INFRASTRUCTURE IMPROVEMENT TO THE PORT ISABEL SPC. THIS MODIFICATION IS TO ADD FUNDING FOR CLINS 0004 AND 0005 FOR WATER TREATMENT AT PIDC.	\$16,700.00	5/11/2011	9/29/2013	UTILITIES FAR 41.2.
HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	PROVIDE FUNDING TO THE PORT ISABEL DENTON CENTER FOR UTILITY WATER SERVICE CLINS 0004 AND 0005.	\$19,200.00	8/18/2011	9/29/2013	UTILITIES FAR 41.2.
HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	PROVIDE FUNDING TO THE PORT ISABEL DENTON CENTER FOR UTILITY WATER SERVICE CLINS 0004 AND 0005.	\$22,095.66	7/29/2011	9/29/2013	UTILITIES FAR 41.2.

HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	INFRASTRUCTURE IMPROVEMENT TO THE PORT ISABEL SPC. THIS MODIFICATION IS TO ADD FUNDING FOR CLINS 0004 AND 0005 FOR WATER TREATMENT AT PIDC.	\$25,711.94	6/2/2011	9/29/2013	UTILITIES FAR 41.2.
HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	INFRASTRUCTURE IMPROVEMENT TO THE PORT ISABEL SPC.	\$33,200.00	1/7/2011	9/29/2013	UTILITIES FAR 41.2.
HSCEDM08C00009	EAST RIO HONDO WATER SUPPLY CORP.	INFRASTRUCTURE IMPROVEMENT TO THE PORT ISABEL SPC.	\$201,517.61	1/28/2011	9/29/2013	UTILITIES FAR 41.2.
HSCEDM10C00004	CORPORATE SOURCE, INC., THE	CUSTODIAL SERVICES FOR AGUADILLA SPC. THE PERIOD OF PERFORMANCE IS FEBRUARY 15, 2010 TO FEBRUARY 14, 2011.	\$55,881.24	2/15/2011	2/14/2013	AWARDED AS SOLE SOURCE UNDER THE NIB/NISH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM10J00019	ECLIPSE BUSINESS GROUP, INC.	ADDITIONAL FUNDING FOR MEALS FOR DETAINEES AT THE SFR DETENTION FACILITY & JPATS FOR 03/01/2010 - 02/28/2011.	\$4,999.40	2/25/2011	2/28/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5. ONLY ONE SOURCE.
HSCEDM10P00067	B N SYSTEMS, INC.	CONTINUOUS MAINTENANCE FOR PHONE SYSTEM AT BUFFALO FED DETENTION FACILITY PAID MONTHLY ON PURCHASE CARD \$1,087.04/PER MONTH. TOTAL FOR FY 2010 - 12 MONTHS \$13,044.53 SEND INVOICES TO BFD.	\$13,044.48	8/24/2011	9/30/2014	ONLY ONE SOURCE.
HSCEDM10P00120	COMPASS HOUSE	JUVENILE DETENTION BEDS	\$12,302.40	2/16/2011	3/7/2012	ONLY ONE SOURCE.

HSCEDM10P00139	SUBURBAN PROPANE, L.P.	ADDING PRIOR YEAR FUNDING UNDER THIS PURCHASE ORDER.	\$3,431.72	12/13/2010	1/12/2011	URGENCY.
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS AT SFR DETENTION FACILITY FOR HSCEDM-11-J-00018. CR FUNDING POP: THRU 5/16/2011.	\$22.60	5/4/2011	2/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS AT SFR DETENTION FACILITY FOR HSCEDM-11-J-00018. CR FUNDING POP: THRU 5/16/2011.	\$9,999.00	4/15/2011	2/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS AT SFR DETENTION FACILITY FOR HSCEDM-11-J-00018. FUNDING POP: THRU 2/29/2012.	\$22,012.50	6/6/2011	2/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS AT SFR DETENTION FACILITY FOR HSCEDM-11-J-00018. FUNDING POP: THRU 2/29/2012.	\$22,028.00	5/13/2011	2/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS AT SFR DETENTION FACILITY FOR HSCEDM-11-J-00018. CR FUNDING POP: THRU 3/8/2011.	\$29,996.25	3/1/2011	2/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS.	\$50,985.00	9/12/2011	2/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.

HSCEDM11100018	ECLIPSE BUSINESS GROUP, INC.	DETAINEE MEALS.					AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5. ONLY ONE SOURCE.
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021: INCREMENTAL FUNDING THRU 03/22/2011 - 04/08/2011.	\$54,997.30	7/21/2011	2/29/2012		
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021: INCREMENTAL FUNDING THRU 03/22/2011 - 04/08/2011.	\$3,808.56	3/28/2011	8/29/2011		ONLY ONE SOURCE.
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021: INCREMENTAL FUNDING THRU 03/22/2011 - 04/08/2011.	\$346,007.31	3/18/2011	8/29/2011		ONLY ONE SOURCE.
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021: INCREMENTAL FUNDING THRU 04/09/2011 - 04/30/2011.	\$374,784.24	5/2/2011	8/29/2011		ONLY ONE SOURCE.
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021.	\$576,767.39	8/30/2011	2/29/2012		ONLY ONE SOURCE.
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021: INCREMENTAL FUNDING THRU 05/01/2011 - 06/30/2011.	\$1,026,542.97	7/12/2011	8/29/2011		ONLY ONE SOURCE.
HSCEDM11100021	THE WACKENHUT CORP.	TRANSPORTATION & GUARD SERVICES FOR HSCEDM-11-J-00021: INCREMENTAL FUNDING THRU 05/01/2011 - 06/30/2011.	\$1,076,479.71	5/1/2011	8/29/2011		ONLY ONE SOURCE.

HSCEDM11P00012	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICE, ADDING FUNDING.	\$1,076.40	12/16/2010	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00012	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICE, ADDING FUNDING.	\$3,982.68	2/8/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00012	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICE.	\$5,597.28	11/15/2010	12/31/2010	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00013	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICES. ADDS INCREMENTAL FUNDING AND CORRECTLY NOTES POP AS 10/01/2010 - 09/30/2011.	\$968.00	1/3/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00013	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICES. ADDS INCREMENTAL FUNDING FOR THE PERIOD OF 03/19/2011 THROUGH 04/08/2011 IN THE AMOUNT OF \$968.20.	\$968.20	3/31/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00013	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICES. ADDS INCREMENTAL FUNDING FOR THE PERIOD OF 03/05/2011 THROUGH 03/18/2011 IN THE AMOUNT OF \$968.20.	\$968.20	3/17/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.

HSCEDM11P00013	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICES. ADDS INCREMENTAL FUNDING AND CORRECTLY NOTES POP AS 10/01/2010 - 09/30/2011.	\$3,873.00	2/10/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00014	CORRECTIONS & REHABILITATION, CALIFORNIA DEPARTMENT OF	DETAINEE ESCORT SERVICES.	\$2,532.87	11/15/2010	12/31/2010	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00017	ENVIRONMENTAL QUALITY, TEXAS COMMISSION ON KERN, COUNTY OF	FEES REQUIRED FOR OPERATION OF WATERPLANT AT PIDC.	\$1,777.00	12/7/2010	9/30/2011	UTILITIES FAR 41.2.
HSCEDM11P00020	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	MODIFICATION TO ADD FUNDS IN THE AMOUNT OF \$4,590.00 FOR THE PERIOD 10/01/2010 TO 06/30/2011. WATER SAMPLES ANALYSIS.	\$4,590.00	10/26/2010	6/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION. Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.	\$24.00	4/8/2011	9/30/2011	Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.	\$24.00	2/11/2011	9/30/2011	Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.	\$24.00	12/14/2010	9/30/2011	Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.	\$24.00	3/1/2011	9/30/2011	Required by state law to use Texas Department of Health for water analysis

HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.		\$338.00	5/11/2011	9/30/2011	Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.		\$338.00	1/7/2011	9/30/2011	Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.		\$362.00	11/17/2010	9/30/2011	Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00021	STATE HEALTH SERVICES, TEXAS DEPARTMENT OF	WATER SAMPLES ANALYSIS.					Required by state law to use Texas Department of Health for water analysis
HSCEDM11P00022	ANA-LAB CORP.	WATER SAMPLES ANALYSIS.		\$410.00	5/24/2011	9/30/2011	Department of Health for water analysis
HSCEDM11P00022	ANA-LAB CORP.	WATER ANALYSIS.		\$132.00	3/1/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00022	ANA-LAB CORP.	WATER ANALYSIS.		\$198.00	4/7/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00022	ANA-LAB CORP.	WATER ANALYSIS.		\$302.00	2/4/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00022	ANA-LAB CORP.	WATER ANALYSIS.		\$1,441.00	1/12/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00022	ANA-LAB CORP.	WATER ANALYSIS.		\$1,830.00	5/3/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER - MODIFICATION TO ADD FUNDING TO CLIN 0001.					ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER.		\$396.00	2/11/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER - MODIFICATION TO ADD FUNDING TO CLIN 0001.		\$396.00	4/8/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER - MODIFICATION TO ADD FUNDING TO CLIN 0001.		\$396.00	3/1/2011	9/30/2011	ONLY ONE SOURCE.

HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER.	\$396.00	1/6/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER.	\$396.00	1/7/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER REQUIRED FOR PORT ISABEL DETENTION CENTER.	\$396.00	5/5/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER FOR PORT ISABEL DETENTION CENTER.	\$792.00	11/17/2010	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00023	HYDRO SYSTEMS, INC.	WATER SOFTENER FOR PORT ISABEL DETENTION CENTER.	\$1,584.00	5/24/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00024	SWANK MOTION PICTURES, INC.	MOVIE LICENSE.	\$13,036.10	1/27/2011	9/30/2011	ONLY ONE SOURCE.
HSCEDM11P00025	SOUTHWEST SANITATION SERVICES, INC.	EMERGENCY PURCHASE FOR RENTAL OF 36 PORTABLE TOILETS AND PUMPING SERVICE DUE TO WATER OUTAGE AT THE FLORENCE SPC.	\$6,104.00	10/13/2010	10/13/2010	UNUSUAL AND COMPELLING URGENCY.
HSCEDM11P00026	GOVERNMENT OF GUAM- DEPARTMENT OF ADMINISTRATION	LODGING FOR JUVENILE DETAINEES IN SAIPAN: RENEW CONTRACT# HSCEDN-10-P-00025, POP: 10/01/2010 - 08/31/2011.	\$2,442.75	10/26/2010	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00027	PUBLIC UTILITIES BOARD	FUNDS TO COVER E. COLI WATER TESTING EXPENSES INCURRED BY PIDC FROM 10/1/10 THRU 9/30/11. THIS IS A STATE MANDATED TEST REQUIRED TO MAINTAIN OUR WASTE WATER PERMIT.	\$600.00	11/23/2010	9/30/2011	UTILITIES FAR 41.2.

HSCEDM11P00029	COUNTY OF TWIN FALLS	DETENTION SERVICES IN SNAKE RIVER JUVENILE DETENTION FACILITY, IDAHO. HSCEDM-10-P-00070. POP: 01/01/2011 - 12/31/2011. FUNDING COVERS JAN-FEB 2011.	\$450.00	1/1/2011	12/31/2011	ONLY ONE SOURCE.
HSCEDM11P00029	COUNTY OF TWIN FALLS	DETENTION SERVICES IN SNAKE RIVER JUVENILE DETENTION FACILITY, IDAHO. POP: 01/01/2011 - 12/31/2011.	\$1,950.00	1/27/2011	12/31/2011	ONLY ONE SOURCE.
HSCEDM11P00031	LINN COUNTY BOARD OF COMMISSIONERS	DETENTION AND MAINTENANCE OF APPREHENDED ALIENS AT LINN COUNTY DETENTION FACILITY, OR.	\$660.00	1/1/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00031	LINN COUNTY BOARD OF COMMISSIONERS	TEMPORARY DETENTION OF UNDOCUMENTED IMMIGRANTS.	\$990.00	1/21/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00032	LAKE, COUNTY OF	DETENTION MAN DAYS AND MAINTENANCE AT LAKE COUNTY, MT. HSCEDM-10-P-00080 TO BE FUNDED THRU 12/31/2010.	\$755.30	1/1/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00033	COUNTY OF LINCOLN	DETENTION MAN DAYS AND MAINTENANCE AT LINCOLN COUNTY, MT.	\$637.60	1/1/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00034	MUSSELSHELL, COUNTY OF	DETENTION MAN DAYS AND MAINTENANCE AT MUSSELSHELL COUNTY, MT.	\$2,460.00	1/1/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.

HSCEDM11P00035	COUNTY OF PARK	DETENTION MAN DAYS & MAINTENANCE AT PARK COUNTY, MT.		\$1,000.00	1/1/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00036	CITY OF UNALASKA	DETENTION SERVICES.		\$600.00	1/16/2011	1/15/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00036	CITY OF UNALASKA	DETENTION SERVICES.		\$750.00	6/8/2011	1/15/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00037	FERRY, COUNTY OF	TEMPORARY DETENTION SERVICES.		\$500.00	1/16/2011	1/15/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00039	ADAMS, COUNTY OF	TEMPORARY DETENTION SERVICES.		\$567.00	1/23/2011	1/22/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00039	ADAMS, COUNTY OF	TEMPORARY DETENTION SERVICES.		\$630.00	8/16/2011	1/22/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00040	STEVENS COUNTY	TEMPORARY DETENTION SERVICES.		\$300.00	1/23/2011	1/22/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00041	BOUNDRY COUNTY SHERIFF'S DEPARTMENT	DETENTION SERVICES AT BOUNDARY COUNTY JAIL. PRIOR YR. CONTRACT# HSCEDM-10-P-00084 POP: 02/05/2011 - 02/04/2012.		\$450.00	2/5/2011	2/4/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.

HSCEDM11P00042	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION OF UNDOCUMENTED IMMIGRANTS.		\$671.05	1/24/2011	1/23/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00042	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION OF UNDOCUMENTED IMMIGRANTS.		\$671.05	6/7/2011	1/23/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00043	PEND OREILLE, COUNTY OF	TEMPORARY DETENTION SERVICES FOR UNDOCUMENTED IMMIGRANTS.		\$375.00	1/26/2011	1/25/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00045	FLATHEAD, COUNTY OF	DETENTION SERVICES IN FLATHEAD COUNTY, MONTANA. PO# HSCEDM-10-P-00090. FY11 FUNDING.		\$495.00	1/27/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00048	MADISON, COUNTY OF	DETENTION SERVICES: MADISON COUNTY, ID. ESTABLISH QTY ON "AS NEEDED" BASIS FOR PRIOR YEAR PO# HSCEDM-10-P-00121 POP: 03/01/2011 - 02/28/2012.		\$2,475.00	3/1/2011	2/29/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00049	HEALTH AND SOCIAL SERVICES, ALASKA DEPARTMENT OF	HEALTH AND SOCIAL SERVICES FACILITY, JUVENILE DETENTION UNDER STATE OF ALASKA.		\$450.00	2/16/2011	2/15/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00049	HEALTH AND SOCIAL SERVICES, ALASKA DEPARTMENT OF	HEALTH AND SOCIAL SERVICES FACILITY, JUVENILE DETENTION UNDER STATE OF AK.		\$750.00	6/8/2011	2/15/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION

HSCEDM11P00060	CORRECTIONS CORP. OF AMERICA	SERVICES PROVIDED FOR EMERGENCY SITUATION DUE TO INCLEMENT WEATHER FOR DATES OF 2/1/11 - 2/3/11.	\$536.47	3/10/2011	3/7/2012	URGENCY
HSCEDM11P00061	AMERICAN CORRECTIONAL ASSOCIATION, THE	NEW PURCHASE ORDER FOR ACA AUDIT FOR BUFFALO FEDERAL DETENTION FACILITY (SPC, BATAVIA, NY).	\$20,000.00	3/15/2011	5/31/2011	ONLY ONE SOURCE.
HSCEDM11P00067	PINAL, COUNTY OF	2011 ANNUAL PERMIT FOR FACILITY OPERATIONS: IN ACCORDANCE WITH PINAL COUNTY AIR QUALITY CONTROL, DISTRICT CODE CH. 3, ARTICLE 7, REG. 301-081 .A.9	\$3,435.00	3/31/2011	4/30/2011	ONLY ONE SOURCE.
HSCEDM11P00073	CHAVES, COUNTY OF	PROVIDE HOUSING FOR ICE DETAINEES IN ACCORDANCE WITH THE MOST CURRENT EDITION OF ICE NATIONAL DETENTION REQUIREMENTS.	\$50.00	4/22/2011	5/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00074	EDDY, COUNTY OF	PROVIDE HOUSING FOR ICE DETAINEES IN ACCORDANCE WITH THE MOST CURRENT EDITION OF ICE NATIONAL DETENTION REQUIREMENTS.	\$60.00	4/25/2011	5/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00075	WASHTENAW COUNTY CHILDREN'S SERVICES	EMERGENCY JUVENILE DETENTION FACILITY FOR FY11. PERIOD OF PERFORMANCE 5/1/11 - 12/31/11 FY10 DOCUMENT # HSCEDM10P00115 COTR ALAN MOORE.	\$1,440.00	4/29/2011	4/30/2016	ONLY ONE SOURCE.

HSCEDM11P00084	AMERICAN CORRECTIONAL ASSOCIATION, THE	REACCREDITATION FEE WITH THE AMERICAN CORRECTIONAL ASSOCIATION FOR PORT ISABEL DETENTION CENTER.	\$12,600.00	6/3/2011	6/15/2011	ONLY ONE SOURCE.
HSCEDM11P00085	OKANOGAN, COUNTY OF	TEMPORARY DETENTION SERVICES.	\$357.00	6/8/2011	6/9/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00086	SKAGWAY, CITY OF	TEMPORARY DETENTION SERVICES.	\$450.00	6/10/2011	6/9/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00087	KERN, COUNTY OF	ACCESS TO CLETS LAW ENFORCEMENT DATABASE - KERN COUNTY POP: 7/1/2011 - 6/30/2012.	\$6,120.00	6/9/2011	6/30/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00088	PUBLIC SAFETY, ARIZONA	CONNECTION WILL ALLOW ICE/DRO/TUC TO PARTNER IN ICE SECURED COMMUNITIES PROGRAM.	\$3,202.44	7/15/2011	7/14/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00091	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION SERVICES.	\$545.76	6/17/2011	6/16/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00092	SOCORRO, COUNTY OF	FOR EMERGENCY DETENTION OF 14 MALES AND 1 FEMALE. DUE TO EMERGENCY ADVERSE WEATHER CONDITIONS FOD APPROVED USE OF THIS FACILITY FOR THE DETAINEES.	\$3,364.65	6/20/2011	7/20/2011	ONLY ONE SOURCE.

HSCEDM11P00095	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION SERVICES.		\$545.76	6/27/2011	6/26/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00096	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION SERVICES.		\$545.76	6/27/2011	6/26/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00097	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION SERVICES.		\$545.76	6/27/2011	6/26/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00098	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION SERVICES.		\$545.76	6/29/2011	6/28/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00099	CORRECTIONS, ALASKA DEPARTMENT OF	TEMPORARY DETENTION SERVICES.		\$545.76	6/29/2011	6/28/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEDM11P00105	UNICOR	HYGIENE ITEMS REQUIRED FOR USE BY DETAINEES.		\$17,010.00	7/27/2011	9/2/2011	AWARDED AS SOLE SOURCE UNDER THE UNICOR PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11P00113	DOUGLAS COUNTY	DETENTION SERVICES.		\$1,464.00	9/15/2011	9/14/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00114	GRANT, COUNTY OF	DETENTION SERVICES.		\$550.00	9/15/2011	9/14/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.

HSCEDM11P00117	UNICOR	HYGIENE ITEMS REQUIRED FOR DETAINEE USE FOR PERSONAL HYGIENE.		\$28,760.72	8/25/2011	10/10/2011	AWARDED AS SOLE SOURCE UNDER THE UNICOR PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11P00119	COMPASS GRAPHICS	TOILET PAPER REQUIRED FOR HEALTH AND WELFARE OF THE DETAINEES.		\$18,196.20	8/11/2011	9/12/2011	AWARDED AS SOLE SOURCE UNDER THE UNICOR PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEDM11P00122	BONNER, COUNTY OF	DETENTION SERVICES AT COUNTY OF BONNER, ID.		\$720.00	8/22/2011	8/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00131	COUNTY OF BONNEVILLE	DETENTION SERVICES.		\$1,395.00	9/1/2011	8/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00134	COUNTY OF ALAMOSA	FURNISH SACK LUNCHES FOR DETAINEES.		\$75.00	9/1/2011	8/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00135	COUNTY OF MESA	FURNISH SACK LUNCHES FOR DETAINEES.		\$100.00	8/27/2011	8/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00137	NAVAJO, COUNTY OF	HOLD DETAINEES UNTIL MANPOWER IS AVAILABLE TO PICK THEM UP.		\$2,462.76	9/1/2011	8/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEDM11P00141	COUNTY OF ORANGE	TRAILER RELOCATION.		\$24,987.00	9/6/2011	10/5/2011	ONLY ONE SOURCE.
HSCEDM11P00152	PACER SERVICE CENTER	COURT ELECTRONICS FOR LAFO TO OBTAIN COURT RECORDS.		\$10,000.00	9/15/2011	9/14/2012	ONLY ONE SOURCE.

HSCEDM12P00001	SWANK MOTION PICTURES, INC.	MOVIE LICENSE FEES	\$13,739.70	10/1/2011	9/30/2012	ONLY ONE SOURCE.
HSCEMD08I00057	CANON U.S.A., INC.	TWO MONTHS OF COPIER LEASE UNDER CRA. Mod P00006 PROVIDES INCREMENTAL FUNDS UNDER CRA.	\$272.68	10/26/2010	11/30/2010	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00057	CANON U.S.A., INC.	COPIER LEASE. Mod. P00007 PROVIDES INCREMENTAL FUNDS UNDER CRA.	\$272.68	12/29/2010	1/31/2011	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00057	CANON U.S.A., INC.	COPIER LEASE. Mod. P00009 ISSUED TO EXERCISE COPIER LEASE BUYOUT CLIN.	\$353.45	10/1/2011	9/30/2011	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00057	CANON U.S.A., INC.	COPIER LEASE. Mod P00008 ISSUED TO ADD INCREMENTAL FUNDS.	\$1,090.72	1/21/2011	9/30/2011	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00120	CANON U.S.A., INC.	COPIER LEASE. Mod P00004 ISSUED TO EXERCISE OPTION PERIOD 3.	\$4,456.44	7/26/2011	6/30/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00123	CANON U.S.A., INC.	LEASE OF COPIER. Mod P0003 ISSUED TO EXERCISE OPTION PERIOD 4 AND ADD FUNDS.	\$5,559.84	7/1/2011	6/30/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00128	CANON U.S.A., INC.	COPIER LEASE IN SEATTLE, WA. Mod P0003 ISSUED TO EXERCISE OPTION PERIOD 4 AND ADD FUNDS.	\$4,356.84	6/1/2011	5/31/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00152	SHARP ELECTRONICS CORP.	COPIER LEASE. Mod P0003 ISSUED TO EXERCISE OPTION PERIOD 3 AND ADD FUNDS.	\$3,946.20	8/5/2011	8/4/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08I00195	CANON U.S.A., INC.	COPIER LEASE. Mod P0005 ISSUED TO EXERCISE OPTION PERIOD 4 AND ADD FUNDS.	\$5,248.92	9/1/2011	8/31/2012	LOGICAL FOLLOW-ON CONTRACT.

HSCEMD08J00196	XEROX CORP.	COPIER LEASE. Mod P0003 ISSUED TO EXERCISE OPTION PERIOD 3 AND ADD FUNDS.	\$4,357.44	9/21/2011	9/20/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08J00197	RICOH AMERICAS CORP. (3521)	COPIER LEASE. Mod P0003 ISSUED TO EXERCISE OPTION PERIOD AND ADD FUNDS.	\$1,350.36	9/24/2011	9/23/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08J00209	XEROX CORP.	COPIER LEASE. Mod. P0004 ISSUED TO EXERCISE OPTION PERIOD 4 AND ADD FUNDS.	\$4,031.28	8/1/2011	7/31/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMD08P00204	PACER SERVICE CENTER	ELECTRONIC ACCESS TO U.S. FEDERAL COURTS CASE INFORMATION. Mod P0003 ISSUED TO EXERCISE OPTION PERIOD 3 AND ADD FUNDS.	\$25,000.00	9/1/2011	8/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEMD08P00253	AMERICAN IMMIGRATION LAWYERS ASSOCIATION (INC.)	BOOKS AND PAMPHLETS. Mod P0004 ISSUED TO EXERCISE OPTION PERIOD 4 AND ADD FUNDS.	\$7,060.00	1/1/2011	12/31/2011	ONLY ONE SOURCE.
HSCEMD09F00013	STANLEY CONVERGENT SECURITY SOLUTIONS, INC.	FY 2011 PROVIDE MONTHLY SECURITY ALARM MONITORING. Mod P0007 ISSUED TO EXERCISE OPTION PERIOD 3 AND ADD FUNDS.	\$2,760.00	6/14/2011	9/30/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEMD09F00013	STANLEY CONVERGENT SECURITY SOLUTIONS, INC.	FUND OPTION YEAR 2 (CLIN 2001) FOR ALARM MONITORING. Mod. P0005 ISSUED TO EXERCISE OPTION PERIOD 2 AND ADD FUNDS.	\$2,760.00	11/3/2010	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEMD09P00021	COUNTY OF ALAMEDA	Exercise Option Year 2- continuation of Firing Range services SAC San Francisco.	\$3,600.00	10/25/2010	9/30/2011	ONLY ONE SOURCE.

HSCEMD09P00044	YOUNG MEN'S CHRISTIAN ASSOCIATION OF NASHVILLE AND MIDDLE TENNESSEE	Exercise Option Year 1- continuation of Gym Membership SAC New Orleans.	\$8,280.00	6/6/2011	9/30/2011	ONLY ONE SOURCE.
HSCEMD09P00044	YOUNG MEN'S CHRISTIAN ASSOCIATION OF NASHVILLE AND MIDDLE TENNESSEE	Exercise Option Year 2- continuation of Gym Membership SAC New Orleans.	\$10,542.00	11/30/2010	9/30/2011	ONLY ONE SOURCE.
HSCEMD09P00058	MIDDLETOWN, TOWNSHIP OF	Exercise Option Year 3- continuation of Gun Range services SAC Newark.	\$4,000.00	10/28/2010	9/30/2013	ONLY ONE SOURCE.
HSCEMD09P00068	SUPREME SECURITY SYSTEMS, INC.	Exercise final Option Year 2- continuation of Security Alarm services SAC Newark.	\$8,340.00	10/19/2010	9/30/2011	ONLY ONE SOURCE.
HSCEMD09P00285	ABM INDUSTRIES, INC.	Exercise Option Year 2- continuation of Parking Garage services-Office of Intelligence.	\$59,160.00	8/1/2011	7/31/2012	ONLY ONE SOURCE.
HSCEMD09P00293	AMERICAN ROAMER, LLC	Exercise Option Year 2- continuation of Online-Subscription services-HQ DIV.	\$5,789.25	6/8/2011	8/2/2012	ONLY ONE SOURCE.
HSCEMD09P00293	AMERICAN ROAMER, LLC	Increase funding for Option Year 2-Unit Price corrected for the continuation of Online-Subscription services.	\$9,137.75	8/15/2011	8/3/2011	ONLY ONE SOURCE.
HSCEMD09P00361	BCS SYSTEMS, INC.	Exercise Option Year 2- continuation of Kofax Annual Support Services -Office of Financial Management.	\$4,620.00	8/10/2011	9/25/2012	ONLY ONE SOURCE.

HSCEMD10F00006	XEROX CORP.	COPIER MAINTENANCE SERVICES FOR 13 COPIERS IN THE ICE-OI-SAC-NEW YORK OFFICE.	\$5,676.40	6/6/2011	9/30/2012	ONLY ONE SOURCE.
HSCEMD10F00006	XEROX CORP.	COPIER MAINTENANCE SERVICES FOR 13 COPIERS IN THE ICE-OI-SAC-NEW YORK OFFICE.	\$5,902.10	12/20/2010	9/30/2014	ONLY ONE SOURCE.
HSCEMD10J00003	XEROX CORP.	COPIER MAINTENANCE	\$2,712.00	6/3/2011	9/30/2012	FOLLOW-ON CONTRACT. ONLY ONE SOURCE.
HSCEMD10P00004	HOUSEHOLD DRIVERS REPORT, INC.	ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE FOR ICE-OI-SAC SAN ANTONIO OFFICE.	\$5,100.00	5/23/2011	9/30/2012	ONLY ONE SOURCE.
HSCEMD10P00004	HOUSEHOLD DRIVERS REPORT, INC.	ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE FOR ICE-OI-SAC SAN ANTONIO OFFICE.	\$7,200.00	11/16/2010	9/30/2011	ONLY ONE SOURCE.
HSCEMD10P00007	BOOTSIES CLEANING SVC, INC.	JANITORIAL SERVICES FOR THE CHINNERY BLDG, ST. THOMAS, USVI; ICE -OI- SAC SAN JUAN/RAC ST.THOMAS OFFICE.	\$7,200.00	11/23/2010	9/30/2011	ONLY ONE SOURCE.
HSCEMD10P00007	BOOTSIES CLEANING SVC, INC.	JANITORIAL SERVICES FOR THE CHINNERY BLDG, ST. THOMAS, USVI; ICE -OI- SAC SAN JUAN/RAC ST.THOMAS OFFICE.	\$7,800.00	6/8/2011	9/30/2012	ONLY ONE SOURCE.

HSCEMD10P00012	STATE POLICE, MICHIGAN DEPARTMENT OF	TERMINAL AGENCY FEES FOR TWO LOCATIONS; DETROIT MI AND GRAND RAPIDS, MI; ICE- OI-SAC DETROIT.	\$11,880.00	12/10/2010	9/30/2011	ONLY ONE SOURCE.
HSCEMD10P00012	STATE POLICE, MICHIGAN DEPARTMENT OF	TERMINAL AGENCY FEES FOR TWO LOCATIONS; DETROIT MI AND GRAND RAPIDS, MI; ICE- OI-SAC DETROIT	\$13,480.00	6/6/2011	9/30/2011	ONLY ONE SOURCE.
HSCEMD10P00024	L-3 COMMUNICATIONS CORP.	MAINTENANCE FOR SECURITY SCREENING EQUIPMENT.	\$6,799.92	1/25/2011	12/20/2012	ONLY ONE SOURCE.
HSCEMD10P00053	COVERT OPERATIONS PLANNING & TRAINING, INC.	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VA- ICE- OI-HQ- DIV 4	\$20,000.00	2/18/2011	2/28/2012	ONLY ONE SOURCE.
HSCEMD10P00054	TODD RADFORD	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VIRGINIA- ICE-OI-HQ- DIV 4 .	\$20,000.00	2/22/2011	2/28/2012	ONLY ONE SOURCE.
HSCEMD10P00055	DELANEY, ROBERT J.	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VA- ICE- OI-HQ- DIV 4.	\$20,000.00	2/22/2011	3/1/2014	ONLY ONE SOURCE.
HSCEMD10P00057	NEW YORK, CITY OF	FIRING RANGE FACILITY FEES AT RODMAN'S NECK OUTDOOR RANGE IN THE BRONX, NY; ICE-OI-SAC- NEW YORK.	\$25,485.28	1/25/2011	2/28/2015	ONLY ONE SOURCE.
HSCEMD10P00114	EXPANCO, INC.	DOCUMENT DESTRUCTION SERVICES DFC.	\$3,963.48	7/1/2011	6/30/2012	ONLY ONE SOURCE.

HSCEMD10P00127	LRP PUBLICATIONS, INC.	CYBERFEDS AND WORKERS COMP SUBSCRIPTIONS FOR HUMAN CAPITAL PERSONNEL, RENEWED ANNUALLY; ICE- HCO.	\$34,732.00	4/5/2011	4/14/2015	ONLY ONE SOURCE.
HSCEMD10P00128	IDESCO CORP.	MAINTENANCE FOR INTEGRATED AMAG SECURITY SYSTEM IN THE SAC NY OFFICE; ICE-OI-SAC NEW YORK.	\$19,680.00	3/11/2011	4/30/2012	ONLY ONE SOURCE.
HSCEMD10P00134	FALK TECHNICAL SERVICE CORP.	MAINTENANCE FOR SUPPLEMENTAL AIR CONDITIONER UNITS IN THE DHS-ICE-SAC-NEW YORK OFFICE IN NEW YORK, NY; ICE- OI-SAC NEW YORK.	\$30,900.00	2/28/2011	4/19/2012	ONLY ONE SOURCE.
HSCEMD10P00143	PUBLIC SAFETY & CORRECTIONAL SERVICES, MD DEPARTMENT OF	FY 2010 FUNDING TO ACQUIRE MONTHLY ACCESS TO THE MD STATE POLICE NATIONAL CRIME INFORMATION CENTER (NCIC) DATABASE; ICE-OI-SAC BALTIMORE.	\$2,016.00	6/6/2011	6/30/2015	ONLY ONE SOURCE.
HSCEMD10P00144	UNIVERSITY OF TULSA, THE	CYBERCORPS INTERNSHIP PROGRAM FOR 12 RESEARCH STUDENTS AT THE UNIVERSITY OF TULSA; ICE-OI- HQ DIV 6.	\$150,000.00	1/11/2011	5/17/2012	ONLY ONE SOURCE.

HSCEMD10P00221	RESURGENS RISK MANAGEMENT, INC.	EXERCISE OF OPTION FOR CANADIAN CAR INSURANCE.			7/8/2011	7/9/2013	EXERCISE OF OPTION. CONTRACTOR WAS THE ONLY VENDOR THAT COULD MEET REQUIREMENT FOR INSURANCE ON US VEHICLES TRAVELING IN CANADA. ONLY ONE SOURCE.
HSCEMD10P00224	SYMQUEST GROUP, INC.	FAX MACHINE MAINTENANCE.		\$146,500.00			
HSCEMD10P00254	VOLICON, INC.	WARRANTY/MAINTENANCE FOR OBSERVER SYSTEMS AND WEB SQL SERVER.		\$282.45	7/15/2011	7/14/2013	ONLY ONE SOURCE.
HSCEMD10P00275	SPORTS BARN, INC.	MEMBERSHIP IN FITNESS FACILITY. THIS WILL ALLOW AGENTS TO MEET FITNESS FOR DUTY REQUIREMENTS.		\$7,570.67	8/18/2011	8/17/2012	COMPETITION SOUGHT. ONLY ONE VENDOR COULD MEET REQUIREMENTS FOR CONFIDENTIALITY DUE TO SECURITY REQUIREMENT NOT TO IDENTIFY AGENT NAMES OR FACES.
HSCEMD10P00351	MOTOROLA, INC.	TELECOMMUNICATIONS SYSTEM AND EQUIPMENT (TSE) DIGITAL UPGRADE FOR PUERTO RICO.		\$3,300.00	6/22/2011	8/31/2012	JUSTIFICATION IN FILE LIMITING PURCHASE TO MOTOROLA DUE TO THE UNIQUE KNOWLEDGE AND ENGINEERING SKILLS REQUIRED TO UPGRADE THE EXISTING EQUIPMENT.
				\$63,982.10	11/18/2010	3/22/2011	

HSCEMD11C00002	PROCON CONSULTING, LLC	CONTRACTOR PROVIDES NECESSARY SERVICES TO CLOSEOUT ICE CONTRACTS.	\$1,287,432.00	8/29/2011	8/28/2014	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMD11F00005	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT AUDIO RECORDERS TO SUPPORT UNDERCOVER OPERATIONS.				ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00017	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT ELECTRONIC SURVEILLANCE EQUIPMENT TO BE USED BY SAC HONOLULU DURING SURVEILLANCE OPERATIONS. CONTRACT # DJDEA-08-C-0030.	\$13,125.00	10/14/2010	11/26/2010	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00019	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT AUDIO/VIDEO RECORDER FOR SURVEILLANCE OPERATIONS FOR MEXICO. CONTRACT #DJDEA-08-C-0030.	\$7,377.00	3/2/2011	4/15/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00025	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT AUDIO/VIDEO RECORDERS TO CONDUCT HIDTA UNDERCOVER INVESTIGATIONS. DEA CONTRACT # DDJDEA-08-C-0030.	\$9,459.00	3/8/2011	4/20/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
			\$7,000.00	4/27/2011	6/10/2011	

HSCEMD11F00036	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT 27 HR AUDIO ONLY RECORDERS IN SUPPORT OF MEXICO'S VETTED UNIT. DELIVERY ORDER AGAINST CONTRACT #DJDEA-08-C-0030.	\$5,650.00	6/14/2011	7/8/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00045	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT SURVEILLANCE EQUIPMENT NEEDED IN SUPPORT OF CURRENT GANG OPERATION JULY 20, 2011.	\$5,650.00	6/27/2011	7/27/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00055	STG INTERNATIONAL, INC.	EXECUTIVE SERVICE CONSULTATION SERVICES.	\$37,708.00	7/26/2011	9/14/2012	CONTRACTOR IS THE ONLY OFFEROR THAT CAN MEET THE GOVERNMENT'S REQUIREMENTS
HSCEMD11F00067	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT ELECTRONIC SURVEILLANCE EQUIPMENT REQUIRED TO ASSIST IN THE IDENTIFICATION, APPREHENSION AND REMOVAL OF GANG MEMBERS AND UNDOCUMENTED ALIENS ILLEGALLY IN THE U.S.	\$12,250.00	7/22/2011	8/22/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00088	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT AUDIO RECORDING EQUIPMENT TO SUPPORT ICE HSI FIELD GANG UNITS INVESTIGATIVE OPERATIONS. CONTRACT # DJDEA-08-C-0030.	\$22,600.00	8/2/2011	9/2/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.

HSCEMD11F00090	INTERNATIONAL SURVEILLANCE TECHNOLOGY, INC.	CONVERSION OF TWO GOVERNMENT FURNISHED VEHICLES INTO SURVEILLANCE PLATFORMS FOR THE ICE OVER THE AIR TRACKING PROGRAM.	\$89,033.56	8/5/2011	11/4/2011	VENDOR IS THE ONLY CONTRACTOR WITH THE KNOWLEDGE AND FACILITY TO CONVERT THESE VEHICLES IN THE REQUIRED MANNER WHILE MAINTAINING THE COVERT NATURE OF THE PROJECT.
HSCEMD11F00097	MOTOROLA, INC.	SATELLITE RECEIVERS, TELEPHONES, AND OTHER TELECOMMUNICATIONS EQUIPMENT FOR THE SAC SAN JUAN COMMUNICATIONS CENTER.				JUSTIFICATION IN FILE LIMITING PURCHASE TO MOTOROLA EQUIPMENT. COMPETITIVE SOLICITATION ISSUED. ONLY ONE OFFER RECEIVED.
HSCEMD11F00103	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT AUDIO AND VIDEO RECORDERS FOR USE IN INVESTIGATIVE OPERATIONS.	\$166,207.91	8/9/2011	12/9/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00112	ADAPTIVE DIGITAL SYSTEMS, INC.	CONCEALED 8 HOUR A/V RECORDER AND GPS UNIT FOR USE IN INVESTIGATIVE OPERATIONS.	\$148,900.00	8/16/2011	9/16/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
			\$7,000.00	8/22/2011	10/21/2011	

HSCEMD11F00130	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT DIGITAL RECORDING DEVICES REQUIRED FOR USE IN SURVEILLANCE OPERATIONS.				\$11,300.00	8/29/2011	10/28/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00167	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT AND REMOTE RECORDING DEVICES FOR UNDERCOVER OPERATIONS FOR SAC SEATTLE.				\$20,705.00	9/13/2011	11/12/2011	ONLY ONE SOURCE - DEA CONTRACT DJDEA08C0030.
HSCEMD11F00171	ADAPTIVE DIGITAL SYSTEMS, INC.	UNDERCOVER RECORDING DEVICES FOR SURVEILLANCE OPS FOR HQ DIV6 TECHOPS.				\$99,950.00	9/14/2011	10/21/2011	ONLY ONE SOURCE - DEA CONTRACT DJDEA08C0030.
HSCEMD11F00173	ADAPTIVE DIGITAL SYSTEMS, INC.	UNDERCOVER RECORDING DEVICES FOR SURVEILLANCE OPS FOR HQ DIV6 TECHOPS.				\$14,125.00	9/13/2011	10/21/2011	ONLY ONE SOURCE - DEA CONTRACT DJDEA08C0030.
HSCEMD11P00003	TRANSPORTATION, WASHINGTON STATE DEPARTMENT OF	FERRY TOLLS FOR SAC SEATTLE AGENTS TO CONDUCT INVESTIGATIONS ACROSS THE PUGET SOUND-ONGOING MISSION.				\$1,800.00	11/1/2010	9/30/2011	LOGICAL FOLLOW-ON TO A PREVIOUS PURCHASE ORDER.
HSCEMD11P00005	SEATTLE POLICE ATHLETIC ASSOCIATION	ANNUAL CERTIFICATION, QUALIFICATION AND FIREARMS TRAINING FOR SAC SEATTLE SPECIAL AGENTS - FUNDING MODIFICATION.				\$8,115.00	11/18/2010	9/30/2011	FOLLOW-ON CONTRACT AT APPROVED AND CERTIFIED RANGE.
HSCEMD11P00006	PRADO FAMILY SHOOTING RANGE	CONTINUATION OF SHOOTING RANGE SERVICE FOR FY 2011.				\$12,783.00	8/4/2011	9/30/2011	ONLY AVAILABLE RANGE IN THE AREA ALLOWING FEDERAL TRAINING.

HSCEMD11P00006	PRADO FAMILY SHOOTING RANGE	CONTINUATION OF SHOOTING RANGE SERVICE FOR FY 2011.	\$25,000.00	1/5/2011	9/30/2011	ONLY AVAILABLE RANGE IN THE AREA ALLOWING FEDERAL TRAINING.
HSCEMD11P00008	STOLAR RESEARCH CORP.	CROSS BORDER TUNNEL SURVEY SERVICES- INTERDICTION AND REMEDIATION-SAC PHOENIX.				USE OF ELECTROMAGNETIC GRADIOMETER PROPRIETARY TO VENDOR, USED BEFORE WITH DESIRED RESULTS.
HSCEMD11P00011	MESA, CITY OF	RANGE FEES FOR AGENT TRAINING AND QUALIFICATION-SAC PHOENIX.	\$29,340.00	11/16/2010	11/20/2010	FOLLOW-ON CONTRACT TO AVOID INTERRUPTION OF TRAINING AND SECURITY.
HSCEMD11P00014	TEXAS WIRED MUSIC, INC.	SATELLITE SERVICES TO PROVIDE LOCAL AND NATL. NEWS AS IT RELATES TO ICE MISSION.	\$7,500.00	12/7/2010	12/31/2011	SOLE SATELLITE PROVIDER IN THE AREA.
HSCEMD11P00016	TEXAS STATE UNIVERSITY-SAN MARCOS	FIREARMS TRAINING FACILITY REQUIRED BY THE SAC SAN ANTONIO OFFICE FOR SPECIAL AGENT QUALIFICATIONS.	\$1.00	12/14/2010	12/31/2011	ONLY AVAILABLE RANGE IN THE AREA MAKING IT THE MOST COST EFFECTIVE SOLUTION.
HSCEMD11P00017	STURDEVANT SR, RICHARD A	RETIRED SPECIAL AGENT RICHARD STURDEVANT IS NEEDED TO ASSIST THE NORTHERN DISTRICT OF NY. U.S. ATTORNEY OFFICE WITH TRIAL PREPARATION.	\$4,400.00	12/22/2010	12/31/2011	AGENT'S PRIOR KNOWLEDGE OF THE EVIDENCE MADE HIM A SOLE SOURCE OF INFORMATION REGARDING CASE PREPARATION.
			\$8,800.00	12/28/2010	3/8/2011	

HSCEMD11P00018	NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS	SPACE AT THE NAFSA KEY STAKEHOLDER CONFERENCE IN MAY/JUNE 2011 IN SUPPORT OF THE STUDENT AND EXCHANGE VISITOR PROGRAM (SEVP). CORRECT UNIT PRICE.	\$19,400.00	5/30/2011	6/3/2011	ONLY ONE SOURCE.
HSCEMD11P00020	ALERT HOLDINGS GROUP, INC.					FOLLOW-ON CONTRACT FOR SECURITY SYSTEM MONITORING & MAINTENANCE TO AVOID INTERRUPTION OF SERVICE & POTENTIAL SECURITY BREACH.
HSCEMD11P00020	ALERT HOLDINGS GROUP, INC.	RENEWAL OF MONTHLY ALARM MONITORING AND MAINTENANCE.	\$25.92	1/20/2011	1/31/2012	FOLLOW-ON CONTRACT FOR SECURITY SYSTEM MONITORING & MAINTENANCE TO AVOID INTERRUPTION OF SERVICE & POTENTIAL SECURITY BREACH.
HSCEMD11P00022	LAZ PARKING LTD, LLC	RENEWAL OF 2 SECURE PARKING SPACES FOR OPTION YEAR 2 FOR FY 2011. CONTRACT NUMBER # HSCENV-09-P-00016.	\$4,405.68	1/6/2011	1/31/2012	LOGICAL FOLLOW-ON TO A PREVIOUS PURCHASE ORDER; ONLY SECURE GARAGE IN CLOSE PROXIMITY TO GIAMIO FEDERAL BLDG.
			\$3,000.00	1/12/2011	1/31/2016	

HSCEMD11P00027	MOTOR VEHICLES, NEW YORK DEPARTMENT OF	COST FOR U/C LICENSE PLATES, REGISTRATION AND DMV REQUIREMENTS.	\$25,000.00	6/6/2011	9/30/2012	LICENSE PLATE RENEWALS COME ONLY FROM THE STATE.
HSCEMD11P00027	MOTOR VEHICLES, NEW YORK DEPARTMENT OF	COST FOR U/C LICENSE PLATES, REGISTRATION AND DMV REQUIREMENTS.	\$25,000.00	1/28/2011	9/30/2011	LICENSE PLATE RENEWALS COME ONLY FROM THE STATE.
HSCEMD11P00028	ABM INDUSTRIES, INC.	ADDITIONAL SIX STALLS REQUIRED FOR AGENTS AND TASK FORCE EMPLOYEES TO CONDUCT SUSPECT REAL ESTATE CHECKS, ETC AT THE HONOLULU INTERNATIONAL AIRPORT. THESE STALLS ARE NOT SUBJECT TO THE NATIONAL CONTRACT. WILL REPLACE PO#HSCEMD09P00256.	\$3,960.00	1/27/2011	1/31/2012	LOGICAL FOLLOW-ON CONTRACT; IT WOULD NOT BE COST EFFECTIVE TO SPLIT AGENT INSPECTIONS WITH A FARTHER AWAY FACILITY.
HSCEMD11P00029	SIGNAL INTELLIGENCE, INC.	BUY 3 REMOTE RADIO SIGNAL APPLIANCES.	\$7,800.00	2/7/2011	2/7/2011	ONLY ONE SOURCE.
HSCEMD11P00034	INTERNATIONAL ASSOCIATION OF FINANCIAL CRIMES INVESTIGATORS	ANNUAL MEMBERSHIP RENEWAL FOR IAFCI.				ONLY ONE SOURCE.
HSCEMD11P00036	KYC NEWS, INC.	EXHIBIT BOOTH RENTAL AT A CONFERENCE.	\$5,630.00	3/31/2011	3/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEMD11P00040	PALANTIR TECHNOLOGIES, INC.	SUPPLY OF DELL SERVERS, CLOUD SERVER LICENSING, AND TRAINING.	\$4,000.00	3/2/2011	4/6/2011	SOLE SOURCE - FAR 13.
			\$58,122.00	2/24/2011	4/24/2011	

HSCEMD11P00044	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA SMARTCARD RECORDER & CCR DOCKING STATN.		3/9/2011	4/30/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00048	ACR ELECTRONICS, INC.	GPS/PLB TO SUPPORT SURVEILLANCE OPERATIONS.	\$3,670.00	3/28/2011	4/27/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00050	INTERNATIONAL ASIAN ORGANIZED CRIME CONFERENCE	INT'L ASIAN ORGANIZED CRIME CONFERENCE.	\$12,183.60			SOLE SOURCE - FAR 13.
HSCEMD11P00051	ADVANCED MARKETING & SALES ASSOCIATES	2 SMARTCARD RECORDERS AND DOCKING STATIONS FOR TECHOPS.	\$17,442.00	3/28/2011	4/22/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00053	FREEMAN DECORATING SERVICES, INC.	PROCURE EXHIBITION BOOTH ITEMS AT NAFAA CONF.	\$5,990.00	3/28/2011	4/28/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00053	FREEMAN DECORATING SERVICES, INC.	PROCURE EXHIBITION BOOTH ITEMS AT NAFAA CONF.	\$35.00	9/8/2011	6/3/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00056	DATONG ELECTRONICS, INC.	RAPID GPS TRACKERS TO SURVEY OPS IN MEXICO.	\$5,737.61	4/19/2011	6/3/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00060	THE PALMAS ACADEMY, INC.	TUITION FEE FOR FIVE DEPENDENT STUDENTS FOR SY 2011-2012.	\$13,200.00	4/4/2011	4/4/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00061	CARIBBEAN SCHOOL, INC.	TUITION FOR TEN (10) DEPENDENT STUDENTS FOR SY 2011-2012 IN CARIBBEAN SCHOOL IN PONCE, PR	\$52,950.00	4/15/2011	5/31/2012	SOLE SOURCE - FAR 13.
HSCEMD11P00062	EKP CONSTRUCTION, INC.	EMERGENCY COIL REPAIR ON A 30 TON TRANE A/C SYSTEM AT THE RAC MAYAGUEZ.	\$51,105.00	4/15/2011	5/31/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMD11P00063	NATIONAL SHERIFFS' ASSOCIATION	RENT BOOTH AT 2011 NATL SHERIFFS' ASSN CONF.	\$24,910.00	4/15/2011	6/15/2011	SOLE SOURCE - FAR 13.
			\$3,800.00	4/19/2011	6/22/2011	

HSCEMD11P00066	INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE	EXHIBIT BOOTH AT INTL CHIEFS OF POLICE CONF.				SOLE SOURCE - FAR 13.
HSCEMD11P00071	SIGNAL INTELLIGENCE, INC.	UPGRADE EQUIPMENT INSTALLED IN KEY WEST, FL.	\$3,980.00	4/20/2011	10/26/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00073	SAN JOSE, CITY OF	PARKING SPACES FOR GOV'S.	\$16,519.00	4/28/2011	6/15/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00075	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA SMARTCARD RECORDER & CCR DOCKING STATN.	\$37,200.00	5/2/2011	6/30/2013	SOLE SOURCE - FAR 13.
HSCEMD11P00093	HIGHWAY SAFETY AND MOTOR VEHICLES, FLORIDA DEPARTMENT OF	SAC MIAMI TAG RENEWAL.	\$3,670.00	5/11/2011	5/27/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00097	KEYW CORP., THE	JUGULAR3, PN: 200445-001 SURVEILLANCE EQUIPMENT.	\$4,914.90	6/21/2011	7/21/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00098	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA SMARTCARD RECORDER & CCR DOCKING STATION.	\$6,500.00	6/22/2011	7/22/2011	SOLE SOURCE - FAR 13.
HSCEMD11P00099	DATONG ELECTRONICS, INC.	TRACKING EQUIPMENT.	\$6,210.00	6/23/2011	7/24/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION _PROPRIETARY EQUIPMENT FROM ONE SOURCE.
HSCEMD11P00102	DATONG ELECTRONICS, INC.	PURCHASE ORDER FOR THE PURCHASE OF 3 DATONG TRACKERS FOR RAC SARASOTA HSI OFFICE.	\$8,200.00	6/24/2011	7/24/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION _PROPRIETARY EQUIPMENT FROM ONE SOURCE.
			\$6,150.00	6/28/2011	7/28/2011	

HSCEMD11P00103	ADVANCED MARKETING & SALES ASSOCIATES	CCR SMARTCARD AND DOCKING STATION KIT AND VFOB AUDIO/VIDEO RECORDER.					SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCEMD11P00104	NAL RESEARCH CORP.	PURCHASE (20) SBD-ONLY SATELLITE TRACKERS&ANTENNAS IN SUPPORT OF MEXICO'S VETTED UNIT.	\$6,480.00	6/28/2011	7/28/2011		ONLY ONE SOURCE PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
HSCEMD11P00105	INNOVA-CON, INC.	2 - FLAT-PAK PTT SATELLITE TRACKERS.	\$16,100.00	6/30/2011	7/11/2011		SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION - PURCHASE OF ADDITIONAL PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
HSCEMD11P00106	SETTLE, LARRY E	SECURITY GATE REPAIR.	\$7,900.00	6/30/2011	7/30/2011		FOLLOW-ON CONTRACT - PAY BY P- CARD, USED THE KTR WHO INSTALLED THE GATE.
			\$2,847.00	6/30/2011	8/1/2011		

HSCEMD11P00108	DATONG ELECTRONICS, INC.	SURVEILLANCE EQUIPMENT TO FURTHER FINANCIAL INVESTIGATIONS.						SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF ADDITIONAL PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
HSCEMD11P00109	IMPERIAL, COUNTY (INC.)	DETENTION SERVICES FOR JUVENILES ON AN AS NEEDED BASIS FOR EL CENTRO DETAINEES.			\$42,000.00	7/7/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ONLY AVAILABLE SOURCE FOR JUVENILE DETENTION.
HSCEMD11P00111	OXFORD INSTRUMENTS AMERICA, INC.	PREVENTATIVE MAINTENANCE AGREEMENT FOR OXFORD INSTRUMENTS INCA MICS/X-STREAM2/X-MAX80 X-RAY SPECTROMETER LOCATED AT THE FORENSIC DOCUMENT LABORATORY.			\$7,000.00	7/5/2011	9/29/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ONGOING MAINTENANCE OF SPECIALIZED EQUIPMENT.
HSCEMD11P00112	DATONG ELECTRONICS, INC.	PURCHASE (10) CLASSIS RAPID TRACKER S.			\$12,550.00	8/16/2011	8/15/2016	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
					\$15,000.00	7/13/2011	9/8/2011	

HSCEMD11P00113	SYNETIX, INC.	AUXILIARY EQUIP REQUIRED FOR OVER THE AIR TRACKING PROGRAMS.	\$70,722.00	7/8/2011	9/8/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
HSCEMD11P00117	NAL RESEARCH CORP.	SATELLITE TRACKERS.				SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP COMPATIBLE WITH EXISTING EQUIPMENT.
HSCEMD11P00119	KEYW HOLDING CORP., THE	EQUIPMENT REQUIRED FOR OVER THE AIR TRACKING PROGRAMS.	\$12,075.00	7/12/2011	7/22/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
			\$130,000.00	7/12/2011	9/12/2011	

HSCEMD11P00130	WESTERN UNION COMPANY, THE	FINANCIAL TRANSACTIONS SERVICES.			9/1/2011	8/31/2014	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION - UNDERCOVER FINANCIAL TRACKING OPERATIONS, REQUIRED SOURCE.
HSCEMD11P00131	TROY, CITY OF	CITY OF TROY POLICE FIRING RANGE RENTAL.					SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION - FUNDING FOR EXISTING MOU FOR RANGE RENTAL FOR SAC DETROIT, ONLY AVAIL SOURCE.
HSCEMD11P00132	FEENEY WIRELESS, LLC	SOFTWARE FOR EXISTING SURVEILLANCE SYSTEMS.	\$8,000.00		7/29/2011	7/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION - PURCHASE OF PROPRIETARY SOFTWARE TO BE USED IN EXISTING HSI SYSTEMS.
			\$40,895.00		7/27/2011	9/15/2011	

HSCEMD11P00133	CRIME POINT, INC.	COVERT SURVEILLANCE EQUIPMENT.							SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ADDITIONAL EQUIPMENT TO SUPPLEMENT EXISTING COVERT SURVEILLANCE SYSTEMS.
HSCEMD11P00133	CRIME POINT, INC.	COVERT SURVEILLANCE EQUIPMENT.			\$250.00	8/3/2011	9/15/2011		SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ADDITIONAL EQUIPMENT TO SUPPLEMENT EXISTING COVERT SURVEILLANCE SYSTEMS.
HSCEMD11P00134	B.E. MEYERS & CO., INC.	NIGHT VISION KITS FOR EXISTING EQUIPMENT.			\$95,370.00	7/27/2011	9/15/2011		SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - COVERT SURVEILLANCE EQUIP TO INTERFACE WITH EXISTING EQUIPMENT.
					\$76,561.80	7/27/2011	10/1/2011		

HSCEMD11P00136	SYNETIX, INC.	C-HEATER RECEIVERS FOR FIELD INVESTIGATIONS						SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIPMENT.
HSCEMD11P00138	ASIAN GANG INVESTIGATORS ASSOCIATION OF CALIFORNIA	CONFERENCE ON ASIAN GANGS REGISTRATION FEE.			\$141,444.00	7/27/2011	8/28/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ATTENDANCE REGISTRATION FEES - ONLY SOURCE.
HSCEMD11P00139	NATIONAL CYBER-FORENSICS AND TRAINING ALLIANCE LIMITED.	REGISTRATION COST OF TWO ICE AGENTS AT NCFTA.			\$6,500.00	7/27/2011	8/4/2011	ONLY ONE SOURCE. FAR 6.302-1 NON-COMPETITION - REGISTRATION FEES AT NON-GOVT SPONSORED CONFERENCE, SOLE SOURCE.
HSCEMD11P00141	GANS & PUGH ASSOCIATES, INC.	GPS TRACKERS.			\$248,899.44	9/1/2011	9/25/2016	PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY.
					\$123,500.00	7/29/2011	10/21/2011	

HSCEMD11P00146	OPTOELECTRONICS, INC.	POWER COUNTER KIT 10MHZ - 2.6GHZ.						SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION PROPRIETARY EQUIPMENT TO IDENTIFY MALFUNCTIONS WITH WIDE RANGE OF ICE EQUIPMENT.
HSCEMD11P00148	T A CUBED, INC.	DOOR ACCESS PANEL/CARD READER INSTALLATION.	\$18,683.00	8/1/2011	11/30/2011			SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION DUE TO FAMILIARIZATION WITH SPECIFIC INSTALLATION IN OFFICE.
HSCEMD11P00151	CALIFORNIA GANG INVESTIGATORS ASSN	REGISTRATION FEES FOR THE CGIA CONFERENCE.	\$3,834.00	8/2/2011	10/15/2011			SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION ATTENDING CONFERENCE AND LOCATION WERE SET- UP BY 3RD PARTY.
HSCEMD11P00155	DATONG ELECTRONICS, INC.	TO PURCHASE 30 RAPID ENHANCED W/CELL BATT UNITS IN SUPPORT OF MEXICO'S VETTED UNIT.	\$6,250.00	8/1/2011	8/5/2011			SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION UNIQUE EQUIPMENT THAT MET REQUIREMENTS OF INVESTIGATION.
			\$61,500.00	8/9/2011	9/30/2011			

HSCEMD11P00156	MILESTONE SYSTEMS, INC.	XPROTECT ENTERPRISE CAMERA SOFTWARE LICENSE.		\$16,140.00	8/4/2011	10/10/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE EQUIPMENT THAT MET REQUIREMENTS OF INVESTIGATION.
HSCEMD11P00157	BLAUER TACTICAL SYSTEMS, INC.	S.P.E.A.R. TRAINING.					SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION EQUIPMENT THAT ATTACHES TO ICE AGENTS EQUIPMENT WITHOUT MODIFICATION.
HSCEMD11P00164	TECHNICAL TRAINING & CONSULTING INC.	TUNNEL SAFETY TRAINING.		\$22,500.00	8/5/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE INTELLECTUAL PROPERTY.
HSCEMD11P00165	I'NTECH, LLC	THIS EQUIPMENT IS NEED TO SUPPORT ICE JIOC MISSION.		\$4,360.00	8/9/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION SPECIALIZED EQUIPMENT AVAILABLE ONLY THROUGH VENDOR.
				\$69,145.00	8/9/2011	10/10/2011	

HSCEMD11P00167	PERKINELMER HEALTH SCIENCES, INC.	PREVENTATIVE MAINTENANCE AGREEMENT FOR FTIR SPECTROPHOTOMETER.	\$5,254.08	8/11/2011	8/31/2016	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY KNOWLEDGE OF EQUIPMENT.
HSCEMD11P00168	NAL RESEARCH CORP.	ELECTRONIC TRACKING DEVICES.				SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT.
HSCEMD11P00172	BRONWAY LTD	CD/DVD COUNTER FOR EVIDENCE.	\$23,240.00	8/10/2011	8/21/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT.
HSCEMD11P00176	EASTCOR ENGINEERING, LLC	PURCHASE OF (5) MAG-MOUNT SDR-T'S.	\$14,390.00	8/11/2011	9/12/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT.
HSCEMD11P00180	EASTCOR ENGINEERING, LLC	DATA RECORDER TRACKERS.	\$19,250.00	8/17/2011	9/15/2011	ONLY ONE SOURCE SUPPLEMENTED EQUIPMENT ALREADY IN USE BY AGENCY
HSCEMD11P00183	JAMES T REESE & ASSOCIATES	ETHICS BASED LEADERSHIP PRESENTATION.	\$11,550.00	8/15/2011	9/14/2011	ONLY ONE SOURCE SUPPLEMENTED EQUIPMENT ALREADY IN USE BY AGENCY.
			\$3,500.00	8/16/2011	9/21/2011	ONLY ONE SOURCE DUE TO UNIQUE BACKGROUND AND SPECIALIZED REQUIREMENTS OF TRAINING.

HSCEMD11P00184	MEDIACOM SOUTHEAST, LLC	DSL SERVICE FOR CHILD PORN TRACKING DATABASE ACCESS.	\$3,357.60	8/16/2011	8/24/2016	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION EQUIPMENT NOT AVAILABLE AT LOCATION WHERE NEEDED.
HSCEMD11P00187	MARRIOTT INTERNATIONAL, INC.	EXECUTIVE LEADERSHIP TRAINING SEMINAR AND THE IACP CONFERENCE 10/19/11 - 10/24/11 IN CHICAGO, IL. SEE ATTACHED PACKAGE.				SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION DUE TO NONAVAILABILITY OF OTHERS SPACES.
HSCEMD11P00190	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA PRODUCT.	\$22,630.00	9/7/2011	10/25/2011	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY.
HSCEMD11P00191	INTERNATIONAL LATINO GANG INVESTIGATORS ASSN	IN SUPPORT OF OPERATION COMMUNITY SHIELD, THE NGU IS PROVIDING REGISTRATION FEES, TRAINING TIME FOR ICE HSI SPEAKERS, AND TRAINING MATERIALS FOR ITS GANG UNIT AGENTS AND TASK FORCE OFFICERS WHO SUPPORT HSI INVESTIGATIONS AND SURGES.	\$15,525.00	8/24/2011	9/22/2011	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY.
			\$20,000.00	8/19/2011	8/26/2011	

HSCEMD11P00192	SOLKOA, INC.	TO SUPPORT ICE PERSONAL RECOVERY UNIT IN THE AREAS OF SURVIVAL, ESCAPE, RESISTANCE AND EVASION TRAINING.	\$62,309.50	8/19/2011	9/19/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE EVASION AND SIGNALING EQUIPMENT.
HSCEMD11P00194	PUBLIC GRANTS & TRAINING INITIATIVES	TRAINING PRESENTATION.				SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION BASED ON UNAVAILABILITY OF OTHER TRAINERS.
HSCEMD11P00196	HARRIS CORP.	STINGRAY II EQUIPMENT.	\$8,600.00	8/22/2011	9/10/2011	ONLY ONE SOURCE, FAR 6.302-1 NON-COMPETITION UNIQUE SURVEILLANCE EQUIPMENT.
HSCEMD11P00197	HENRY STAFFORD MD	FOLLOW UP FITNESS FOR DUTY PSYCHIATRIC EXAMINATION FOR CHARLES SUCHY. POP 09/01/11-12/31/11.	\$1,512,775.00	9/6/2011	12/31/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION BASED ON PRIOR EXPERIENCE CONDUCTING EVALUATION.
HSCEMD11P00199	COBHAM TRACKING & LOCATING, LTD	TRACKERS NEEDED TO PERFORM COVERT SURVEILLANCE ON TARGET VEHICLES.	\$4,200.00	8/22/2011	8/26/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE REQUIREMENTS.
			\$10,680.00	8/22/2011	10/21/2011	

HSCEMD11P00201	ADVANCED MARKETING & SALES ASSOCIATES	8/2/2011-PURCHASE OF SURVEILLANCE EQUIPMENT (SMARTCARD RECORDER/DOCKING STATION&VFOB AUDIO/VIDEO RECORDER).	\$3,780.00	8/23/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY.
HSCEMD11P00202	ADVANCED MARKETING & SALES ASSOCIATES	COVERT AUDIO EQUIPMENT&RECORDER FOR CREDIT CARD CONCEALMENT.				SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION PROPRIETARY EQUIPMENT.
HSCEMD11P00203	CAMBRIDGE INVESTMENT COMPANY, LLC	LEASE OF SELF-STORAGE UNITS.	\$9,520.00	8/23/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION PROPRIETARY KNOWLEDGE OF EQUIPMENT.
HSCEMD11P00206	CORPORATE SOURCE, INC., THE	JANITORIAL SERVICES NEEDED AT THE LUIS MARIN INTERNATIONAL AIRPORT HSI OFFICE IN THE 3RD FLOOR AND RAC MAYAGUEZ, PR OFFICE.	\$3,240.00	8/24/2011	9/26/2016	AUTHORIZED BY STATUTE. UNDER THE JAVITS-WAGNER- O'DAY ACT AND PERFORMED BY A NISH CONTRACTOR. MANDATORY UNDER FAR 8.704(2)(f).
			\$209,321.88	8/31/2011	8/31/2012	

HSCEMD11P00207	GANS & PUGH ASSOCIATES, INC.	BREAKWIRE TRACKING SYSTEMS NEEDED FOR USE IN COVERT INVESTIGATIONS.			8/24/2011	2/29/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY TRACKING EQUIPMENT ONLY PROVIDED BY ONE SOURCE.
HSCEMD11P00208	COBHAM TRACKING & LOCATING, LTD	5 ST820 CDMA TRACKING DEVICES FOR SAC OFFICE.					SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION. ONLY 1 SUPPLIER PROVIDES THIS UNIT WHICH MUST BE COMPATIBLE WITH EXISTING SYSTEM.
HSCEMD11P00211	ADVANCED MARKETING & SALES ASSOCIATES	REQUIRED FOR ELECTRONIC UNDERCOVER SURVEILLANCE OPERATIONS.	\$21,260.00		8/24/2011	9/25/2011	SPECIALIZED COVERT EQUIPMENT AVAILABLE FROM ONLY 1 MANUFACTURER/SUPPLIER.
HSCEMD11P00212	DATONG ELECTRONICS, INC.	GPS TRACKERS REQUIRED FOR ELECTRONIC SURVEILLANCE OPERATIONS.	\$99,960.00		8/24/2011	12/1/2011	PROPRIETARY GPS TRACKERS. MUST CONFORM WITH EXISTING SYSTEM.
HSCEMD11P00213	ADVANCED MARKETING & SALES ASSOCIATES	PHOTO EQUIPMENT FOR COVERT OPS.	\$61,250.00		8/24/2011	10/8/2011	PROPRIETARY COVERT PHOTO EQUIPMENT.
HSCEMD11P00217	ADVANCED MARKETING & SALES ASSOCIATES	COVERT AUDIO EQUIPMENT.	\$3,670.00		8/25/2011	9/24/2011	PROPRIETARY COVERT AUDIO EQUIPMENT.
			\$74,520.00		8/25/2011	9/25/2011	

HSCEMD11P00218	DTC COMMUNICATIONS, INC.	COVERT TRACKING UNITS - (CDMA).		\$57,782.00	8/29/2011	10/15/2011	PROPRIETARY TRACKING EQUIPMENT.
HSCEMD11P00220	CRIME POINT, INC.	POLE CAMERA NEEDED TO CONDUCT COVERT SURVEILLANCE OF TARGETS.		\$4,840.00	8/25/2011	10/25/2011	PROPRIETARY-ONLY PRODUCED/SOLD BY ONE VENDOR.
HSCEMD11P00221	ADVANCED MARKETING & SALES ASSOCIATES	COVERT AUDIO EQUIPMENT.		\$7,560.00	8/26/2011	9/25/2011	PROPRIETARY-ONLY PRODUCED/SOLD BY ONE VENDOR
HSCEMD11P00222	GANS & PUGH ASSOCIATES, INC.	ELECTRONIC SURVEILLANCE EQUIPMENT-TRACKER.		\$97,600.00	8/26/2011	9/30/2011	PROPRIETARY AND MUST BE COMPATIBLE WITH EXISTING SYSTEM.
HSCEMD11P00223	ADVANCED MARKETING & SALES ASSOCIATES	UNDERCOVER SURVEILLANCE EQUIPMENT.		\$3,670.00	8/26/2011	9/25/2011	PROPRIETARY-ONLY 1 PRODUCER/SUPPLIER
HSCEMD11P00226	BRIMTEK, INC.	UNDERCOVER SURVEILLANCE EQUIPMENT.		\$89,990.50	8/26/2011	9/30/2011	MUST BE COMPATIBLE WITH EXISTING SYSTEM.
HSCEMD11P00227	B.E. MEYERS & CO., INC.	LONG RANGE NIGHT VISION SCOPE WITH CAMCORDER KIT.		\$15,312.36	9/2/2011	12/2/2011	PROPRIETARY-MUST CONFORM W/ EXISTING VIDEO SYSTEM
HSCEMD11P00230	DTC COMMUNICATIONS, INC.	COVERT ELECTRONIC SURVEILLANCE EQUIPMENT.		\$99,939.76	8/29/2011	10/29/2011	PROPRIETARY-ONLY 1 PRODUCER/SUPPLIER
HSCEMD11P00236	FEDERAL PRISON INDUSTRIES, INC.	TO REPLACE BROKEN FILE CABINETS.		\$3,231.00	9/1/2011	11/1/2011	SOLE SOURCE BY STATUTE. UNICOR
HSCEMD11P00240	DTC COMMUNICATIONS, INC.	TRACKING EQUIPMENT.		\$7,340.00	9/6/2011	10/5/2011	PROPRIETARY-ONLY 1 SOURCE
HSCEMD11P00241	SAUL MINEROFF ELECTRONICS, INC.	GPS UNITS ARE NEEDED TO CONDUCT COVERT INVESTIGATIONS.		\$3,900.00	9/3/2011	9/30/2011	ONLY ONE MANUFACTURER

HSCEMD11P00245	HARRIS CORP.	SPECIALIZED TRAINING FOR STINGRAY II EQUIPMENT.		9/7/2011	12/31/2011	ONLY ONE SOURCE. PROVIDES SPECIALIZED STINGRAY TRAINING
HSCEMD11P00246	DATONG ELECTRONICS, INC.	COVERT GPS TRACKERS.	\$16,000.00	9/7/2011	11/1/2011	PROPRIETARY-ONLY 1 MANUFACTURER
HSCEMD11P00247	SYNDETIX, INC.	COVERT C-HEATR TRACKER AND COMPONENTS.	\$29,250.00	9/7/2011	1/8/2012	PROPRIETARY - MUST BE COMPATIBLE W/EXISTING SYSTEM
HSCEMD11P00249	FEENEY WIRELESS, LLC	MINI-VARACAM COVERT SURVEILLANCE SYSTEM.	\$70,722.00	9/7/2011	10/9/2011	PROPRIETARY - ONLY 1 MANUFACTURER/SUPPLIER
HSCEMD11P00253	EASTCOR ENGINEERING, LLC	SDR-T SATELLITE TRACKER.	\$99,995.00	9/8/2011	10/10/2011	PROPRIETARY - CUSTOM DESIGN
HSCEMD11P00256	B.E. MEYERS & CO, INC.	ADD EQUIPMENT TO EXISTING P.O. HSCEMD-11-P-00134. SURVEILLANCE KITS- LONG RANGE.	\$99,992.10	9/9/2011		ADDITIONAL EQUIPMENT FOR EXISTING ORDER. PROPRIETARY-COMPATIBLE W/EXISTING SYSTEM
HSCEMD11P00257	FEENEY WIRELESS, LLC	GX400-440 EVDO MODEMS, UPGRADES AND DEVICES.	\$9,431.16	9/9/2011	12/1/2011	PROPRIETARY-MUST CONFORM W/CURRENT SURVEILLANCE SYSTEM.
HSCEMD11P00258	FEENEY WIRELESS, LLC	COMMUNICATIONS EQUIPMENT.	\$124,214.00	9/12/2011	10/13/2011	ONLY ONE SOURCE. CAPABLE OF WORKING WITH EXISTING EQUIPMENT.
HSCEMD11P00260	CRIME POINT, INC.	COMMUNICATIONS EQUIPMENT.	\$8,530.00	9/13/2011	11/13/2011	ONLY ONE SOURCE. CAPABLE OF WORKING WITH EXISTING EQUIPMENT.
			\$9,680.00	9/12/2011	10/12/2011	

HSCEMD11P00261	VIGILANT VIDEO, INC.	MOBILE LPR READER.				ONLY ONE SOURCE - VIGILANT VIDEO DATABASE HOLDS 360 MILLION LICENSE PLATE DATA RECORDS. ESSENTIAL FOR CASH BULK SMUGGLING. NO OTHER COMPARABLE SOURCE IN THE MARKET.
HSCEMD11P00262	BRIMTEK, INC.	PURCHASE OF THREE COVERT REMOTE ACTIVATED TELEPHONE KITS FOR USE BY THE SAC SAN JUAN TECHNICAL ENFORCEMENT OFFICERS FOR USE DURING OPERATIONS.	\$20,500.00	9/13/2011	10/12/2011	ONLY ONE SOURCE - GPS TRACKERS ARE PROPRIETARY AND DESIGNED TO WORK WITH EXISTING EQUIPMENT AT ICE.
HSCEMD11P00263	KEYW CORP., THE	REQUIRED FOR OVER THE AIR (OTA) TRACKING PROGRAMS. SEE ATTACHED QUOTE 081911-0001. WILL NOT TOUCH ICE LAN OR CONNECT TO DHS NETWORK. FOR ELECTRONIC SURVEILLANCE PURPOSES ONLY.	\$8,985.00	9/13/2011	10/13/2011	PASSIVE RECEIVER. ONLY SOURCE THAT WORKS WITH EXISTING EQUIPMENT.
HSCEMD11P00264	IMAGING SCIENCES, LLC	REQUIRED TO INCREASE THE CAPABILITY OF EXISTING MINIBOX POLE CAMERAS; WILL ENABLE CONTINUED COVERT OPERATION AND IMPROVE THE OPTICAL QUALITY OF THE VIDEO EVIDENCE GATHERED.	\$97,500.00	9/13/2011	11/1/2011	ONLY ONE SOURCE. CAMERAFLAGE COVERT CAMERA GRAPHICS CUSTOM DESIGNED TO MEET OUR SPECS. NOT AVAILABLE FROM ANY OTHER MANUFACTURER.
			\$15,605.00	9/13/2011	11/15/2011	

HSCEMD11P00266	DIGITAL STRATEGIES, INC.	TO UPGRADE SRT'S VEHICLES.						ONLY ONE SOURCE - EQUIPMENT IS PROPRIETARY AND THE ONLY KNOWN SYSTEM OF ITS TYPE ON THE MARKET. COVER SURVEILLANCE EQUIPMENT.
HSCEMD11P00267	HARRIS CORP.	THIS EQUIPMENT IS NEEDED TO BE ABLE TO USE THE PREVIOUSLY ACQUIRED HARRIS STINGRAY SYSTEM (CROSS REFERENCE PO# HSCENV-08-P-00240) IN VEHICLES THAT DO NOT HAVE THE NECESSARY ELECTRICAL CAPACITY NEEDED TO USE THE STINGRAY SYSTEM.	\$27,407.00	9/19/2011	12/30/2011			ONLY ONE SOURCE - THE GPS TRACKERS ARE PROPRIETARY AND DESIGNED TO WORK WITH EXISTING EQUIPMENT.
HSCEMD11P00268	AUTORIDAD DE LOS PUERTOS	PARKING REQUIREMENT FOR ICE HSI AT THE LUIS MUNOZ MARIN INTERNATIONAL AIRPORT.	\$12,300.00	9/13/2011	1/13/2012			ONLY ONE SOURCE. FOR PARKING IN THE AREA.
HSCEMD11P00269	DTC COMMUNICATIONS, INC.	GPS TRACKERS.	\$7,200.00	9/14/2011	3/31/2012			ONLY ONE SOURCE - THE GPS TRACKERS ARE PROPRIETARY AND DESIGNED TO WORK WITH EXISTING EQUIPMENT.
			\$10,630.00	9/14/2011	11/13/2011			

HSCEMD11P00270	DIGITAL INTELLIGENCE, INC.	FORENSIC COMPUTER EQUIPMENT.					ONLY ONE SOURCE. AVAILABLE FOR THE FRED (FORENSIC RECOVERY OF EVIDENCE DEVICE) COMPUTERS REQUIRED.
HSCEMD11P00273	SUPREME SECURITY SYSTEMS, INC.	UPGRADE SECURITY SYSTEM.			\$8,674.00	9/14/2011	10/12/2011
HSCEMD11P00275	NAL RESEARCH CORP.	SURVEILLANCE OPERATIONS TRACKING DEVICES.			\$24,680.00	9/16/2011	9/14/2012
HSCEMD11P00277	KEL-TECH PLASTICS, INC.	SUPER SURPLUS FUNDED POLE CAMERAS WITH MODEMS.			\$99,300.00	9/15/2011	12/15/2011
HSCEMD11P00281	FEDERAL PRISON INDUSTRIES, INC.	OFFICE FURNITURE FOR TWO TASK FORCE OFFICERS AND ONE AGENT TO REPLACE OLD FURNITURE AND TO PROVIDE TWO DESKS TO TASK FORCE OFFICERS WHO DO NOT HAVE ANY DESKS. NEW ROOM ACQUIRED WITH THE RENOVATIONS AT HIDTA.			\$12,896.00	9/20/2011	10/20/2011
					\$5,510.70	9/20/2011	10/30/2011

HSCEMD11P00285	SINCLAIR TECHNOLOGIES, INC.	TO BE USED BY THE SAC SAN JUAN TELECOMMUNICATIONS CENTER AT REMOTE SITES.		\$5,187.00	9/22/2011	10/20/2011	ONLY ONE SOURCE. DUE TO THE PROPRIETARY AND UNIQUE NATURE OF THE MULTI-COUPLEDERS.
HSCEMD11P00288	MOBILE TECHNOLOGY, INC.	NEW MOBILE SATELLITE TERMINAL.					ONLY ONE SOURCE - REQUIRED SATELLITE IS COMPATIBLE WITH THE CURRENT SYSTEM AND ANTENNAS USED BY ICE
HSCEMD11P00290	CRIME POINT, INC.	POLE CAMERA BEING PURCHASED IN SUPPORT OF OPERATION MEXICAN MAFIA. FUNDED BY ASSET FORFEITURE.		\$23,293.00	9/22/2011	11/6/2011	ONLY ONE SOURCE - CAMERA DESIGNED TO WORK WITH EXISTING EQUIPMENT.
HSCEMD11P00291	COXCOM, INC.	REQUIRED FOR BACKUP INTERNET SERVICE TO MAINTAIN CONTINUITY OF OPERATIONS TO SUPPORT ICE INVESTIGATIONS.		\$8,629.00	9/23/2011	10/23/2011	ONLY ONE SOURCE. WILL THE BACK UP INTERNET AND CABLE SERVICES FOR TECH OPS FACILITY.
HSCEMD11P00297	ALERT HOLDINGS GROUP, INC.	ACCESS CONTROL SYSTEM.		\$9,171.50	9/27/2011	12/27/2011	ONLY ONE SOURCE. APPROVED TO INSTALL AN ACCESS CONTROL SYSTEM IN THE FACILITY.
HSCEMD12P00001	TRANSPORTATION, WASHINGTON STATE DEPARTMENT OF	FUNDS FOR FERRY TOLLS FOR ICE AGENTS TO CONDUCT INVESTIGATIONS ACROSS THE PUGET SOUND.		\$14,255.00	9/27/2011	11/26/2011	SOLE SOURCE - WASHINGTON STATE COLLECTS FUNDING FOR FERRY TOLLS.
				\$2,400.00	10/1/2011	9/30/2012	

HSCEMD12P00002	COUNTY OF VENTURA	CONTINUATION OF SHOOTING RANGE SERVICE AT VENTURA COUNTY SHERIFF'S DEPARTMENT FOR FY2012. PRIOR YEAR PO HSCEMD-11-P-00004.			9/30/2012	ONLY SOURCE. SHERIFFS DEPARTMENT IS THE ONLY SOURCE IN THE AREA OF OPERATION THAT CAN PROVIDE A SHOOTING RANGE FOR THE AGENTS.
HSCEMD12P00004	PRADO FAMILY SHOOTING RANGE	CONTINUATION OF SHOOTING RANGE SERVICE FOR FY2012. PRIOR YEAR PO HSCEMD-11-P-00006 POC: CHRISTIE KYHN 909 597-4794.	\$3,600.00	6/18/2011	9/30/2012	ONLY SOURCE. PRADO SHOOTING RANGE IS THE ONLY SOURCE IN THE AREA OF OPERATION THAT CAN PROVIDE A SHOOTING RANGE FOR THE AGENTS.
HSCEMD12P00005	SUPREME SECURITY SYSTEMS, INC.	ALARM SYSTEM MONITORING SERVICE.	\$25,000.00	6/30/2011	9/30/2012	SOLE SOURCE - CAN ONLY USE EXISTING MONITORING SERVICE.
HSCEMD12P00006	SEATTLE POLICE ATHLETIC ASSOC	ANNUAL CERTIFICATION, QUALIFICATION AND FIREARMS TRAINING FOR SAC SEATTLE'S SPECIAL AGENTS.	\$6,857.00	7/26/2011	6/30/2016	ONLY SOURCE. SEATTLE POLICE DEPARTMENT IS THE ONLY SOURCE IN THE AREA OF OPERATION THAT CAN PROVIDE A SHOOTING RANGE FOR THE AGENTS.
			\$8,115.00	7/7/2011	9/30/2012	

HSCEMD12P00008	COUNTY OF VENTURA	RECURRING CLETS SERVICES FOR FY 2012.				9/30/2014	THE COUNTY OF VENTURE SHERIFFS OFFICE CLETS SYSTEM IS AN EXCLUSIVE AND SOLE SOURCE THAT IS REQUIRED BY INV TO ACCESS LAW ENFORCEMENT INFO.
HSCEMD12P00010	HILLSBOROUGH, COUNTY OF	RENTAL OF SHOOTING RANGE.		\$9,000.00		7/25/2011	ONLY SHOOTING RANGE IN CLOSE PROXIMITY THAT MEETS THE SECURITY REQUIREMENTS AND THE ABILITY TO USE ADVANCED SHOOTING TECHNIQUES REQUIRED BY LAW ENFORCEMENT.
HSCEMD12P00024	AMPICO SYSTEM PARKING	ADDITIONAL SIX STALLS REQUIRED FOR AGENTS AND TASK FORCE EMPLOYEES TO CONDUCT SUSPECT REAL ESTATE CHECKS, ETC AT THE HONOLULU INTERNATIONAL AIRPORT. REFERENCE PO # HSCEMD11P00028.		\$3,645.00		8/15/2011	ONLY SOURCE FOR THE ADDITIONAL PARKING STALLS WAS THE PARKING AREA.
HSCENV08I00012	CANON U.S.A., INC.	Copier Lease.		\$3,960.00		2/1/2011	COPIER ORDERED UNDER DHS COPIER LEASE PROGRAM.
				\$3,211.08		11/2/2010	

HSCENV08J00027	SHARP ELECTRONICS CORP.	TWO COPIERS REQUIRED TO DUPLICATE INVESTIGATIVE AND ADMINISTRATIVE DOCUMENTS NECESSARY TO FULFILL OFFICIAL DUTIES AT THE ASAC BROWNSVILLE, TX OFFICE. (SEE ATTACHMENT FOR DELIVERY LOCATIONS). LEASE OF COPIER.	\$5,400.80	1/18/2011	12/1/2012	COPIER ORDERED UNDER DHS COPIER LEASE PROGRAM.
HSCENV08J00037	SHARP ELECTRONICS CORP.		\$2,382.48	5/25/2011	5/28/2013	COPIER ORDERED UNDER DHS COPIER LEASE PROGRAM. FOLLOW ON CONTRACT TO CONTINUE JANITORIAL SERVICES AT TERMINAL.
HSCENV08P00021	HOUSTON CITY OF (1164)	JANITORIAL SERVICES.	\$3,732.00	10/1/2010	9/30/2011	THIS IS A FOLLOW ON CONTRACT. THE ORIGINAL CONTRACT WAS FOR ONE YEAR OF A 60 MONTH AGREEMENT.
HSCENV09J00004	SHARP ELECTRONICS CORP.	EXERCISE OPTION YEAR.		2/8/2011	3/31/2012	THE ARKANSAS CRIME INFORMATION SYSTEM IS AN EXCLUSIVE AND SOLE SOURCE THAT IS REQUIRED BY INV TO ACCESS LOCAL AND STATE LAW ENFORCEMENT INFO.
HSCENV09P00003	CRIME INFORMATION CENTER ARKANSAS	ACCESS TO CRIME DATABASE NEEDED BY FIELD OFFICES TO ASSIST WITH ONGOING INVESTIGATIONS. NLT 10/1/08.	\$4,387.56			
			\$22,442.40	6/1/2011	9/30/2013	

HSCENV09P00004	DELEWARE CRIMINAL JUSTICE INFORMATION SYSTEMS	ACCESS TO THIS SYSTEM WILL ALLOW THE RAC WILMINGTON, DE OFFICE AGENTS ACCESS TO CRIMINAL HISTORY, VEHICLE, COURT AND OTHER STATE RECORDS TO INDIVIDUALS HANDLED IN THIS AREA.	\$360.00	11/8/2010	9/30/2011	THE DELAWARE CRIME INFORMATION SYSTEM IS AN EXCLUSIVE AND SOLE SOURCE THAT IS REQUIRED BY INV TO ACCESS LOCAL AND STATE LAW ENFORCEMENT INFO.
HSCENV09P00005	STATE POLICE, PENNSYLVANIA DEPARTMENT OF	REQUIRED TO ACCESS CRIMINAL DATA AS NECESSARY FOR CRIMINAL CASES. THIS DATA IS NECESSARY TO ACCESS THE CRIMINAL HISTORY OF AN ALIEN.	\$3,500.00	6/6/2011	9/30/2011	THE PENNSYLVANIA STATE POLICE CLEAN SYSTEM IS AN EXCLUSIVE AND SOLE SOURCE THAT IS REQUIRED BY INV TO ACCESS LOCAL AND STATE LAW ENFORCEMENT INFO.
HSCENV09P00005	STATE POLICE, PENNSYLVANIA DEPARTMENT OF	REQUIRED TO ACCESS CRIMINAL DATA AS NECESSARY FOR CRIMINAL CASES. THIS DATA IS NECESSARY TO ACCESS THE CRIMINAL HISTORY OF AN ALIEN.	\$3,500.00	11/8/2010	9/30/2011	THE PENNSYLVANIA STATE POLICE CLEAN SYSTEM IS AN EXCLUSIVE AND SOLE SOURCE THAT IS REQUIRED BY INV TO ACCESS LOCAL AND STATE LAW ENFORCEMENT INFO.
HSCENV09P00006	UNLIMITED STORAGE, INC.	HOUSEKEEPING- WAREHOUSING/STORAGE.	\$46,440.00	6/8/2011	9/30/2013	FOLLOW ON CONTRACT TO CONTINUE SERVICES.

HSCENV09P00048	CABLEVISION OF NEWARK	REF. PO HSCENV08P00089; PERIOD OF PERF 5/1/10 - 4/30/11; BULK CABLEVISION SERVICE FOR 620 FRELINGHUYSEN AVENUE.	\$8,398.80	12/2/2010	4/30/2014	THIS IS A FOLLOW ON CONTRACT. THE ORIGINAL CONTRACT WAS FOR ONE YEAR OF A SEVEN YEAR AGREEMENT WITH CABLEVISION.
HSCENV09P00108	DONLEN GOVERNMENT SERVICES, INC.	LEASE OF FIVE HIDTA VEHICLES FOR TFO'S ASSIGNED TO SAC PHILADELPHIA OFFICE.				THIS IS A FOLLOW ON CONTRACT. THE ORIGINAL CONTRACT DID NOT INCLUDE THE OPTION YEAR ON THE LEASE SO A NEW CONTRACT WAS CREATED TO COMPLETE THE 24 MONTHS ON THE LEASING AGREEMENT.
HSCENV09P00126	CDS ANALYTICAL, INC.	THE FORENSIC DOCUMENT LABORATORY IS REQUESTING A MAINTENANCE AGREEMENT ON THE PYROPROBE 5200 PYROLYZER.	\$8,336.66	12/6/2010	8/10/2010	ONLY SOURCE - THE MANUFACTURER HAS THE EXCLUSIVE CAPABILITY OF PROVIDING THE REQUIRED SERVICE MAINTENANCE REQUIRED ON THIS ORDER.
HSCEMR10C00007	ALEX-ALTERNATIVE EXPERTS, LLC	CONTRACT PERSONNEL TRANSPORTATION SERVICES.	\$6,000.00	7/12/2011	9/23/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5(A)(2)(i).
			\$3,513.27	8/2/2011	7/31/2011	

HSCEMR10C00007	ALEX-ALTERNATIVE EXPERTS, LLC	CONTRACT PERSONNEL TRANSPORTATION SERVICES.			\$11,632.00	3/16/2011	5/31/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5(A)(2)(I).
HSCEMR10C00007	ALEX-ALTERNATIVE EXPERTS, LLC	CONTRACT PERSONNEL TRANSPORTATION SERVICES.						AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5(A)(2)(I).
HSCEMR10C00007	ALEX-ALTERNATIVE EXPERTS, LLC	CONTRACT PERSONNEL TRANSPORTATION SERVICES.			\$117,000.00	2/25/2011	5/31/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5(A)(2)(I).
HSCEMR10C00007	ALEX-ALTERNATIVE EXPERTS, LLC	CONTRACT PERSONNEL TRANSPORTATION SERVICES.			\$144,076.54	5/31/2011	7/31/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5(A)(2)(I).
HSCEMR10P00027	CONGRESSIONAL QUARTERLY, INC.	ON-LINE SUBSCRIPTION FOR POLITICAL HANDBOOK OF THE WORLD.			\$154,621.92	12/10/2010	2/28/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5. ONLY ONE SOURCE.
HSCEMR11C00001	INNOVATIVE LANDSCAPES, INC.	LANDSCAPING AND GROUNDS MAINTENANCE SERVICES.			\$4,200.00	9/9/2011	9/1/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
					\$64,975.08	6/19/2011	6/18/2016	

HSCEMR11C00002	ALEX-ALTERNATIVE EXPERTS, LLC	ICE HQ TRANSPORTATION SERVICES CONTRACT.		8/1/2011	7/31/2015	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMR11C00004	INTERPARK, LLC	85 UNRESERVED PARKING SPACES AT 801 I ST, NW.	\$960,731.01			ONLY ONE SOURCE - AUTHORIZED BY STATUTE: FAR 6.302-1
HSCEMR11F00060	FEDERAL PRISON INDUSTRIES, INC.	OFFICE FURNITURE.	\$21,418.00	9/20/2011	11/16/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00002	VITALSMARTS, LLC	MENTORING PROGRAM END OF PROGRAM EVENT.	\$7,600.00	1/4/2011	1/11/2011	FAR 6.302-3(A)(3)(I) EXPERT SERVICES.
HSCEMR11P00004	DELOITTE FINANCIAL ADVISORY SERVICES, LLP	NON-PERSONAL SERVICES FOR EXPERT WITNESS.	\$52,000.00	3/23/2011	6/30/2011	FAR 6.302-3(A)(3)(I) EXPERT SERVICES.
HSCEMR11P00004	DELOITTE FINANCIAL ADVISORY SERVICES, LLP	NON-PERSONAL SERVICES FOR EXPERT WITNESS.	\$222,750.00	12/21/2010	1/31/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00005	WICKLANDER ZULAWSKI AND ASSOCIATES, INC.	LECTURE INTERVIEW AND INTERROGATION TRAINING.	\$6,000.00	8/19/2011	8/25/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00005	WICKLANDER ZULAWSKI AND ASSOCIATES, INC.	LECTURE INTERVIEW AND INTERROGATION TRAINING. DATES: JAN 25 THROUGH JAN 26, 2011	\$6,000.00	1/6/2011	1/26/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00005	WICKLANDER ZULAWSKI AND ASSOCIATES, INC.	INTERVIEW AND INTERROGATION TRAINING.	\$7,900.00	8/29/2011	9/22/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00005	WICKLANDER ZULAWSKI AND ASSOCIATES, INC.	INTERVIEW AND INTERROGATION TRAINING.	\$9,500.00	8/23/2011	8/24/2011	FAR 6.302-1 ONLY ONE SOURCE.

HSCEMR11P00006	RUDMAN WINK ASSOCIATES, LLC	FEDERAL LABOR RELATIONS LAW TRAINING.	\$3,200.00	1/11/2011	1/31/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00006	RUDMAN WINK ASSOCIATES, LLC	FEDERAL LABOR RELATIONS LAW TRAINING.	\$3,200.00	8/8/2011	8/8/2011	FAR 6.302-3(A)2)(III) EXPERT SERVICES.
HSCEMR11P00012	DOMESTIC CONTRACTOR (UNDISCLOSED)	NON-PERSONAL SERVICES FOR EXPERT WITNESS.	\$2,100.00	5/13/2011	3/31/2012	FAR 6.302-3(A)2)(III) EXPERT SERVICES.
HSCEMR11P00012	DOMESTIC CONTRACTOR (UNDISCLOSED)	NON-PERSONAL SERVICES FOR EXPERT WITNESS.	\$4,375.00	4/1/2011	3/31/2012	FAR 6.302-3(A)2)(III) EXPERT SERVICE .
HSCEMR11P00013	PUEBLO PARKING SYSTEMS, LLC	RESERVED/SECURE PARKING SPACES.	\$2,040.00	7/1/2011	6/30/2012	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00014	WEST PUBLISHING CORP.	USER LICENSES FOR CONTINUOUS LEGAL EDUCATION.	\$182,879.86	9/10/2011	9/9/2012	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00021	999 THIRD AVENUE PROPERTY, LLC	RESERVED/SECURE PARKING SPACES.	\$27,000.00	8/15/2011	8/14/2013	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00023	RICOH AMERICAS CORP.	MFD HARD DRIVES.	\$15,050.00	9/20/2011	10/21/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00025	FAAC, INC.	FILMED TRAINING SCENARIOS.	\$27,995.00	9/7/2011	1/31/2012	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00028	KENNETH SUDOL & ASSOCIATES, INC.	ADJUDICATION TRAINING	\$24,580.00	8/29/2011	9/23/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00033	A D L ASSOCIATES, INC.	SPEAKER/FACILITATOR.	\$14,000.00	9/22/2011	9/22/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00035	DOMESTIC CONTRACTOR (UNDISCLOSED)	RATIFICATION - EXPERT WITNESS SERVICES.	\$8,200.00	9/20/2011	9/20/2011	FAR 6.302-3(A)2)(III) EXPERT SERVICES.
HSCEMR11P00040	MR HANDYMAN	INTERIOR MISCELLANEOUS SERVICES.	\$3,805.00	9/9/2011	9/9/2011	FAR 6.302-1 ONLY ONE SOURCE.

HSCEMR11P00041	FREEDOM COMMUNICATIONS, INC.	NEWSPAPER PUBLICATIONS.		9/14/2011	9/14/2011	9/14/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00042	FORBES, INC.	PERSONALIZED WALL COMMISSIONS.	\$19,114.94	9/16/2011	9/16/2011	10/15/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00044	ADVANCED MARKETING & SALES ASSOCIATES	SMARTCARD RECORDER AND AUDIO/VISUAL RECORDERS.	\$4,110.60	9/20/2011	9/20/2011	10/19/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMR11P00046	DOMESTIC CONTRACTOR (UNDISCLOSED)	EXPERT WITNESS SERVICES.	\$4,455.00	9/20/2011	9/20/2011	9/20/2011	FAR 6.302-3(A)(2)(III) EXPERT SERVICES
HSCEMR11P00048	INTERNATIONAL TACTICAL PRODUCTS, INC.	RAID JACKETS.	\$53,025.00	9/28/2011	9/28/2011	11/14/2011	FAR 6.302-1 ONLY ONE SOURCE.
HSCEMS08C00005	CLAYTON COUNTY BOARD OF EDUCATION	MAIL CENTER SUPPORT SERVICES.	\$14,060.00				AWARDED AS SOLE SOURCE UNDER THE NIB/NSIH PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS08C00008	ALON, INC.	ADMINISTRATIVE SUPPORT SERVICES.	\$313,635.48	7/1/2011	7/1/2011	6/30/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS08C00009	L'ENFANT COLONY, LLC	40 RESERVED PARKING SPACES, EXERCISE OPTION YEAR 3.	\$658,102.00	9/30/2011	9/30/2011	9/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS08C00010	CENTRAL PARKING SYSTEM, INC.	LEASE OF PARKING SPACES FOR ICE PERSONNEL.	\$129,230.40	9/15/2011	9/15/2011	9/14/2013	ONLY ONE SOURCE.
HSCEMS08C00012	COMTEL SYSTEMS TECHNOLOGY, INC.	SEMI-ANNUAL INSPECTIONS OF ACCESS CONTROL DATA BACKUP AND MANAGEMENT SUPPORT SERVICES.	\$276,456.00	9/29/2011	9/29/2011	9/28/2013	ONLY ONE SOURCE.
			\$8,321.41	4/7/2011	4/7/2011	9/23/2012	

HSCEMS08C00012	COMTEL SYSTEMS TECHNOLOGY, INC.	SEMI-ANNUAL INSPECTIONS OF ACCESS CONTROL DATA BACKUP AND MANAGEMENT SUPPORT SERVICES.	\$45,106.23	5/20/2011	9/23/2012	ONLY ONE SOURCE.
HSCEMS08C00012	COMTEL SYSTEMS TECHNOLOGY, INC.	SEMI-ANNUAL INSPECTIONS OF ACCESS CONTROL DATA BACKUP AND MANAGEMENT SUPPORT SERVICES.	\$107,786.00	9/24/2011	9/23/2012	ONLY ONE SOURCE.
HSCEMS08C00014	POTOMAC CENTER NORTH, INC.	LEASE OF PARKING SPACES, EXERCISE OPTION YEAR 3.	\$867,816.12	9/30/2011	9/29/2013	ONLY ONE SOURCE.
HSCEMS09C00003	ALON, INC.	PROJECT MANAGEMENT AND BUSINESS OPERATIONS SUPPORT SERVICES.	\$762,234.20	4/4/2011	8/27/2011	AUTHORIZED BY STATUTE. 8(A).
HSCEMS09C00008	REHABPLUS STAFFING GROUP, INC.	HEALTH SERVICES FOR ICE AT PCN.	\$122,596.98	9/1/2011	2/29/2012	AUTHORIZED BY STATUTE. 8(A).
HSCEMS09F00040	PITNEY BOWES, INC.	WEB BASED POSTAGE .	\$639,386.28	8/24/2011	9/29/2013	NON-COMPETITIVE DELIVERY ORDER.
HSCEMS09J00004	XEROX CORP.	2 BLACK AND WHITE COPIERS, XEROX WORKCENTRE 5665.	\$9,131.76	3/11/2011	3/10/2012	DELIVERY ORDER FROM IDIQ CONTRACT.
HSCEMS09P00037	COLONIAL PARKING, INC.	PARKING SERVICES FOR GOVERNMENT-OWNED VEHICLES.	\$79,544.52	9/1/2011	8/31/2012	ONLY ONE SOURCE. ORLANDO
HSCEMS10C00006	ATLAS GROUP, LTD	CAPITAL PLANNING & PERFORMANCE MANAGEMENT SUPPORT.	\$1,028,055.00	2/1/2011	1/31/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS10C00006	ATLAS GROUP, LTD	CAPITAL PLANNING & PERFORMANCE MANAGEMENT SUPPORT.	\$1,028,055.00	2/1/2011	1/31/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.

HSCEMS10P00026	FORBES, INC.	AWARDS DEVICES	\$546.00	3/18/2011	6/25/2010	ONLY ONE SOURCE.
HSCEMS10P00045	CORPORATE EXECUTIVE BOARD COMPANY, THE	OCFO GOVERNMENT FINANCE ROUNDTABLE.	\$77,250.00	9/27/2011	9/26/2012	ONLY ONE SOURCE.
HSCEMS11C00001	ADVANCED ENGINEERING DESIGN, INC.	ACQUISITION MANAGEMENT SUPPORT SERVICES.	\$745,088.00	4/4/2011	11/30/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS11C00003	BUSINESS MANAGEMENT ASSOCIATES, INC.	WMD HUMAN CAPITAL SUPPORT.	\$1,048,881.00	9/13/2011	9/12/2014	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS11C00004	CONSTELLATION, INC.	ACQUISITION AND GOVERNANCE MANAGEMENT.	\$1,128,289.40	9/26/2011	9/25/2014	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCEMS11C00005	SCIENCE APPLICATIONS INTERNATIONAL CORP.	WAREHOUSE SERVICES. AMB #: 5436. AAP #: 201170099.	\$280,269.51	9/28/2011	9/28/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCEMS11C00005	SCIENCE APPLICATIONS INTERNATIONAL CORP.	WAREHOUSE SERVICES. AMB #: 5436. AAP #: 201170099.	\$1,118,417.86	9/28/2011	9/28/2012	NON-COMPETITIVE BPA CALL.
HSCEMS11F00065	ALON, INC.	PROGRAM MANAGEMENT AND INFORMATION TECHNOLOGY SUPPORT SERVICES.	\$168,471.60	8/21/2011	2/20/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION.
HSCEMS11F00074	ALON, INC.	PROGRAM MANAGEMENT AND INFORMATION TECHNOLOGY SUPPORT SERVICES.	\$129,780.20	9/26/2011	1/25/2012	

HSCMS11F00081	GLOCK, INC.	TO PURCHASE GLOCK PARTS, CONTRACT # J-FBI-11-074. PLEASE SEE ATTACHMENTS FOR PART INFORMATION.			9/15/2011	ONLY ONE SOURCE; WARRANTY.
HSCMS11J00034	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM SERVICES.	\$24,882.50	9/15/2011	9/15/2011	ONLY ONE SOURCE.
HSCMS11J00034	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM SERVICES.	\$1,560.00	8/2/2011	7/18/2012	ONLY ONE SOURCE.
HSCMS11J00038	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM MEMBERSHIPS FOR ONE YEAR.	\$62,400.00	7/19/2011	7/18/2012	ONLY ONE SOURCE.
HSCMS11J00038	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM MEMBERSHIPS FOR ONE YEAR.	\$780.00	8/17/2011	7/7/2012	ONLY ONE SOURCE.
HSCMS11J00039	AARDVARK TACTICAL, INC.	THIS DELIVERY ORDER PROCURES TASERS AND RELATED ACCESSORIES FOR ICE/NFTTU UTILIZING DHS/CBP IDIQ CONTRACT.	\$9,360.00	7/20/2011	7/7/2012	ONLY ONE SOURCE.
HSCMS11J00041	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM MEMBERSHIP FOR 125 EMPLOYEES AT \$65.00 PER MONTH FOR 12 MONTHS (BPA: HSCEMS-11-A-00005).	\$145,916.17	7/15/2011	9/14/2012	ONLY ONE SOURCE.
HSCMS11J00042	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM MEMBERSHIPS FOR OHC.	\$97,500.00	7/14/2011	7/14/2012	ONLY ONE SOURCE.
HSCMS11J00044	URBAN ADVENTURES AT GALLERY PLACE, LLC	GYM SERVICES FOR OFM EMPLOYEES.	\$13,260.00	7/21/2011	7/20/2012	ONLY ONE SOURCE.
HSCMS11P00004	FORBES, INC.	AWARD FRAMES/DEVICES FOR THE ICE AWARD CEREMONY.	\$11,375.00	7/22/2011	12/31/2011	ONLY ONE SOURCE.
HSCMS11P00004	FORBES, INC.	AWARD FRAMES/DEVICES FOR THE ICE AWARD CEREMONY.	\$1,012.00	6/9/2011	7/10/2011	ONLY ONE SOURCE.
			\$3,760.50	3/14/2011	4/7/2011	

HSCEMS11P00008	WILSON'S GUN SHOP, INC.	PARTS NEEDED TO REPAIR CBP FIREARMS.	\$5,040.00	4/4/2011	4/27/2011	ONLY ONE SOURCE. WARRANTY.
HSCEMS11P00010	INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE	EXHIBIT BOOTH RENTAL/LEASE FOR INTERNATIONAL ASSOCIATION OF POLICE CONFERENCE				ONLY ONE SOURCE.
HSCEMS11P00012	NATIONAL SHERIFFS' ASSOCIATION	NSA ANNUAL CONFERENCE.	\$24,500.00	5/13/2011	10/26/2011	ONLY ONE SOURCE.
HSCEMS11P00015	U.S. TRAINING CENTER, INC.	FIRING RANGE MAINTENANCE AT FORT BENNING, GA.	\$7,600.00	4/7/2011	6/22/2011	PATENT/DATA RIGHTS WARRANTY.
HSCEMS11P00023	FORBES, INC.	AWARDS FOR AWARD CEREMONY.	\$6,907.68	4/14/2011	4/14/2012	ONLY ONE SOURCE.
HSCEMS11P00029	FORBES, INC.	DHS ICE OSLTC COINS.	\$40,624.00	5/17/2011	6/13/2011	ONLY ONE SOURCE.
HSCEMS11P00033	BREDE-WASHINGTON, INC.	PURCHASE OF A CUSTOM STRUCTURE FOR ICE EXHIBITS AT NSA CONFERENCES.	\$3,800.00	6/9/2011	8/2/2011	ONLY ONE SOURCE.
HSCEMS11P00035	THE PALMAS ACADEMY, INC.	TUITION&FEE-THE PALMAS ACADEMY-ALBERTO RUIPEREZ'S DAUGHTERS-AMARA RUIPEREZ&ANA SOFIA RUIPEREZ SY2011-2012 AMB#5253 HSCEMS-10-P-00029 POP 8/1/11-5/31/12.	\$36,115.00	6/8/2011	6/22/2011	ONLY ONE SOURCE.
HSCEMS11P00040	G & P HEAVY TRUCK BODY WORKS, INC.	PAINT MINE RESISTANT AMBUSH PROTECTED (MRAP) VEHICLE WITH CHEMICAL APPLIED RESISTANT COATING (CARC).	\$12,140.00	6/17/2011	5/31/2012	ONLY ONE SOURCE.
			\$3,215.00	7/19/2011	8/17/2011	

HSCEMS11P00041	TELEPHONE SYSTEMS, INC.	NFTTU WOULD LIKE A MANDATORY RELOCATION OF THE TELEPHONE SERVICES FROM BUILDING 83 TO BUILDING 234 AT FORT BENNING, GA.					ONLY ONE SOURCE.
HSCEMS11P00047	CLIMATE CONTROL CONTAINERS, INC.	COLD BOX - CLIMATE CONTROLLED CONTAINER.	\$9,346.00	7/15/2011	8/14/2011		ONLY ONE SOURCE. NIIRU.
HSCEMS11P00048	METROPOLITAN PIER AND EXPOSITION AUTHORITY	MEETING SPACE/COMMAND CENTER FOR OSLTC.	\$17,400.00	8/31/2011	9/9/2011		ONLY ONE SOURCE.
HSCEMS11P00055	ESQUIRE DEPOSITION SERVICES, LLC	RATIFICATION FY10 - COURT REPORTER FOR SIX (6) EEO HEARINGS.	\$16,088.28	10/20/2011	10/25/2011		ONLY ONE SOURCE.
HSCEMS11P00064	WILSON'S GUN SHOP, INC.	TO PURCHASE PARTS FOR REMINGTON 870 PARTS.	\$17,148.01	9/22/2011	9/22/2011		ONLY ONE SOURCE. WARRANTY.
HSCEMS11P00065	ABRAMS AIRBORNE MANUFACTURING, INC.	TO PURCHASE CUSTOM MADE STOCK M15-2ET FOR CUSTOM MADE M-14 RIFLE.	\$93,614.74	9/27/2011	10/25/2011		ONLY ONE SOURCE.
HSCEMS11P00067	REMINGTON ARMS COMPANY, LLC	TO ORDER PARTS FOR REMINGTON 870.	\$9,655.25	9/16/2011	10/28/2011		ONLY ONE SOURCE.
HSCEMS11P00069	FREEMAN DECORATING SERVICES, INC.	IACP EXHIBIT STRUCTURE.	\$101,940.56	9/29/2011	10/16/2011		ONLY ONE SOURCE.
HSCEMS11P00073	APPLIGENT, INC.	REDAX SOFTWARE TO PROVIDE UPGRADE SUPPORT AND ADDITIONAL LICENCES.	\$71,766.00	9/29/2011	10/26/2011		BRAND NAME JUSTIFICATION
HSCEMS11P00074	SMITH ENTERPRISE, INC.	TO PURCHASE RIFLE COMPONENTS FOR CUSTOM M-14.	\$4,589.00	9/27/2011	10/27/2011		ONLY ONE SOURCE. WARRANTY.
HSCEMS11P00075	SIG SAUER, INC.	TO PURCHASE PARTS FROM SIG SAUER.	\$14,950.00	9/19/2011	3/21/2012		FOLLOW-ON CONTRACT WARRANTY.
			\$149,953.00	9/29/2011	12/27/2011		

HSCEMS11P00078	HECKLER & KOCH DEFENSE, INC.	H&K PARTS FOR CBP. PLEASE SEE ATTACHMENT.			9/29/2011	4/29/2012	SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION WARRANTY.
HSCEMS11P00085	S. V. B. ASSOCIATES, INC.	FIRE ALARM SYSTEMS MAINTENANCE; PERIOD OF PERFORMANCE: 09/30/2011- 09/29/2012.	\$126,953.50				SIMPLIFIED ACQUISITION PROCEDURES NON- COMPETITION WARRANTY.
HSCETC08C00003	BARLING BAY, LLC	ADP SYSTEMS ANALYSIS SERVICES.	\$1,560.00		9/30/2011	9/29/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5. ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$799,003.40		8/31/2011	2/29/2012	ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$132,707.04		6/2/2011	12/31/2011	ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$132,861.20		9/2/2011	12/31/2011	ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$220,793.44		1/19/2011	12/31/2011	ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$4,100,000.00		1/17/2011	12/31/2011	ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$8,131,218.00		3/15/2011	12/31/2011	ONLY ONE SOURCE.
HSCETC08F00016	SAVANTAGE FINANCIAL SERVICES,	FFMS.	\$12,363,925.0 4		1/1/2011	12/31/2011	ONLY ONE SOURCE.

HSCETC08F00036	SEVATEC, INC.	FULL SYSTEM DEVELOPMENT LIFE CYCLE SUPPORT, CERT AND ACCRED ACTIVITIES, PROGRAM AND PROJECT MANAGEMENT SUPPORT, TECH ENG SVC FOR BOTH ICE AND DHS STEWARDSHIP ACTIVITIES AS THEY RELATE TO HSPD-12, E-AUTHENTICATION, SSO, PKI&CIM.	\$99,986.97	9/28/2011	12/31/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCETC08P00008	PUBLIC SAFETY TX DEPARTMENT OF (0130)	EXERCISE OPTION YEAR.	\$3,050.64	6/1/2011	6/30/2012	ONLY ONE SOURCE.
HSCETC08P00009	LOUISIANA DEPARTMENT OF PUBLIC SAFETY SERVICES	TO MAINTAIN ACCESS TO CRIMINAL RECORDS AND THE LOUISIANA STATE COMPUTER SYSTEMS TO EXPEDITE INVESTIGATIVE OPERATIONS.	\$1,800.00	6/1/2011	9/30/2012	ONLY ONE SOURCE.
HSCETC08P00013	JUSTICE NORTH CAROLINA DEPARTMENT	EXERCISE OPTION - DATA LINKS TO NC SBI, DOJ. LOCATIONS: ASAC CHARLOTTE, NC, TERMINAL ID (TID) #USC1; CHARLOTTE, TID# ICE; RAC WILMINGTON, NC ID#USC; CARY NC, TID# RAL.	\$3,600.00	9/12/2011	6/30/2012	ONLY ONE SOURCE.
HSCETC08P00017	WORKFORCE COMMISSION TEXAS	ICE ACCESS TO TEXAS WORKFORCE COMMISSION COMPUTER DATABASE.	\$1,575.00	7/5/2011	9/30/2012	ONLY ONE SOURCE.
HSCETC08P00017	WORKFORCE COMMISSION TEXAS	ICE ACCESS TO TEXAS WORKFORCE COMMISSION COMPUTER DATABASE.	\$1,575.00	10/29/2010	9/30/2011	ONLY ONE SOURCE.

HSCETC09P00001	INFORMATION SYSTEMS MANAGER, INC., THE	RENEWAL OF PERFORMAN FOR UNIX/LINUX MANAGED SYSTEMS, POP 01/01/11 - 12/31/11.		\$5,400.00	3/7/2011	12/31/2013	ONLY ONE SOURCE.
HSCETC10F00009	MICROSOFT CORP. SITZ IN REDMOND CORP.	MICROSOFT PREMIERE MAINTENANCE RENEWAL ICE IAW ID/IQ CONTRACT HSBP1009D02335 CLIN00010. POP: 9/19/2010 - 9/18/2011 AAP# 59684 - AMB DB# 2648.			2/10/2011	9/18/2011	ONLY ONE SOURCE.
HSCETC10F00009	MICROSOFT CORP. SITZ IN REDMOND CORP.	MICROSOFT PREMIERE MAINTENANCE RENEWAL ICE IAW ID/IQ CONTRACT HSBP1009D02335 CLIN00010. POP: 9/19/2010 - 9/18/2011 AAP# 59684 - AMB DB# 2648.		\$125,940.00			ONLY ONE SOURCE.
HSCETC10J00020	MICROSOFT CORP. SITZ IN REDMOND CORP.	PROVIDE SUPPORT FOR DESKTOP STANDARDIZATION USING A TASK ORDER AGAINST CUSTOMS & BORDER PROTECTION IDIQ CONTRACT WITH MICROSOFT; CONTRACT # HSHBP10-08-D-01873. POP = AWARD DATE THROUGH 10/31/10. AMB #3574, AAP #64770.		\$130,645.00	5/13/2011	9/18/2011	ONLY ONE SOURCE.
				\$300,000.00	7/26/2011	2/29/2012	

HSCETC10I00020	MICROSOFT CORP. SITZ IN REDMOND CORP.	PROVIDE SUPPORT FOR DESKTOP STANDARDIZATION USING A TASK ORDER AGAINST CUSTOMS & BORDER PROTECTION IDIQ CONTRACT WITH MICROSOFT; CONTRACT # HSHBP10-08-D- 01873. POP = AWARD DATE THROUGH 10/31/10. AMB #3574, AAP #64770.	\$400,000.00	2/22/2011	2/29/2012	ONLY ONE SOURCE.
HSCETC10I00028	MICROSOFT CORP. SITZ IN REDMOND CORP.	CUSTOMIZATION OF SUSPENSION AND DEBARMENT SOFTWARE.	\$98,376.00	5/20/2011	9/22/2011	ONLY ONE SOURCE.
HSCETC10P00010	QUALITY ASSOCIATES, INC.	SUPPORT AND SERVICE FOR FAX AUTOMATION PROGRAM FOR THE STUDENT AND EXCHANGE VISITOR PROGRAM (SEVP) AT ICE.	\$4,473.60	2/7/2011	3/14/2012	ONLY ONE SOURCE.
HSCETC10P00033	STERLING COMMERCE, INC.	CONTRACT FOR DIRECT CONNECT LICENSES AND MAINTENANCE.	\$19,757.44	6/15/2011	8/25/2011	BRAND NAME DESCRIPTION
HSCETC10P00075	TELCO SOLUTIONS, INC.	BASE YR OF NEW CONTRACT FOR POP 9/30/10-4/30/11 FOR HSCEOP06P01608 FOR SUPPORTING TELECO SUBPOENA GENERATOR FOR TECH OPS. NEW SOLE SOURCE CONTRACT FOR TELCO SOLUTIONS TSCG SOFTWARE LICENSE. BASE YR IS 7 MOS W/4 ONE YR OPT PDS. AAP# 64532.	\$389,569.00	4/15/2011	4/30/2015	BRAND NAME DESCRIPTION

HSCETC11C00002	RSA SECURITY LLC	PROVIDE SERVICES, TRAINING AND ODC FOR CSM IFC SECURITY INFORMATION MANAGEMENT.			9/30/2011	6/30/2012	ONLY ONE SOURCE.
HSCETC11J00018	JSI TELECOM, INC.	TELEPHONE INPUTS NEEDED FOR THE JSI VOICEBOX SYSTEM (TITLE III).	\$363,560.00		5/27/2011	9/26/2011	ONLY ONE SOURCE.
HSCETC11J00019	JSI TELECOM, INC.	UPGRADE PHONE SYSTEM TO FACILITATE THE COMMAND CENTER FOR THE SECURE COMMUNITIES PROGRAM.	\$27,500.00		5/27/2011		ONLY ONE SOURCE.
HSCETC11J00027	MICROSOFT CORP. SITZ IN REDMOND CORP.	ISSUE A TASK ORDER ON HSBP-1009-D-02335 FOR MICROSOFT SUPPORT. POP IS 9/17/11 - 9/16/12. AMB #4657.	\$45,387.24		5/27/2011	8/29/2011	ONLY ONE SOURCE.
HSCETC11J00035	MICROSOFT CORP. SITZ IN REDMOND CORP.	MICROSOFT PREMIER MAINTENANCE RENEWAL ICE IAW ID/IQ CONTRACT #HSBP1009D2335 CLIN 00010 POP: 09/19/2011 TO 09/18/12 AMB DB#4273.	\$301,550.00		9/15/2011	9/14/2012	ONLY ONE SOURCE.
HSCETC11P00003	CRM SOLUTIONS	TO REQUEST CONTINUATION OF CONTRACT WITH VENDOR TO MAINTAIN WORKBENCH. (CROSS REF# PO HSCEOP-07-P-01559).	\$118,950.00		9/19/2011	9/18/2012	ONLY ONE SOURCE.
HSCETC11P00010	JSI TELECOM, INC.	SOFTWARE MAINTENANCE PLAN FOR ICE TITLE III DIGITAL COLLECTION SYSTEM	\$149,280.00		1/1/2011	12/31/2013	ONLY ONE SOURCE.
HSCETC11P00011	HUGHES NETWORK SYSTEMS, LLC	PROVIDE SATELLITE DISH INSTALLATION AT MESA AZ. AMB #5654.	\$1,437,200.00		7/20/2011	7/19/2012	ONLY ONE SOURCE.
			\$4,832.58		8/9/2011	9/10/2011	

HSCETE11P00001	ANNAMIS SYSTEMS CORP.	ENHANCEMENT TO THE SUNFLOWER MAINTENANCE MODULE&FAST TOOL.			2/4/2011	2/3/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCETE09F00024	COMPUTER PROJECTS OF ILLINOIS, INC.	SPECIALIZED SOFTWARE AND SUPPORT.	\$56,534.07				AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCETE10P00006	TURNINGPOINT GLOBAL SOLUTIONS, LLC	VOICE COMMUNICATIONS INVENTORY MANAGEMENT SUPPORT SERVICES.	\$141,870.10		6/1/2011	5/31/2012	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCETE10P00010	I M A TECHNOLOGIES CORP.	CASERAKKER ENTERPRISE SUPPORT AND MAINTENANCE.	\$228,394.80		12/7/2010	6/8/2011	AWARDED AS SOLE SOURCE UNDER THE 8(A) PROGRAM - AUTHORIZED BY STATUTE: FAR 6.302-5.
HSCETE10P00021	PEN-LINK, LTD.	PEN LINK SOFTWARE SITE LICENSE AND TRAINING.	\$93,760.08		6/15/2011	3/31/2012	BRAND NAME DESCRIPTION
HSCETE11C00001	PEN-LINK, LTD.	PEN-LINK SOFTWARE SITE LICENSES FOR BASE PERIOD OF PERFORMANCE 7/1/11-6/30/12, PLUS 4 OPTION PERIODS.	\$133,085.42		6/27/2011	7/31/2011	BRAND NAME DESCRIPTION
HSCETE08F00021	IMMIXTECHNOLOGY, INC.	RENEWAL OF IMMIX TECHNOLOGY/ INTERWOVEN TEAMSITE CONTENT MGMT MAINTENANCE AGREEMENT.	\$1,529,851.00		7/29/2011	6/30/2016	LOGICAL FOLLOW-ON CONTRACT.
HSCETE11P00035	MSAB, INC.	XRY COMPLETE SOFTWARE.	\$54,679.11		1/1/2011	12/31/2011	LOGICAL FOLLOW-ON CONTRACT.
			\$35,750.00		8/17/2011	7/30/2012	LOGICAL FOLLOW-ON CONTRACT.

HSCETE11P00043	MSAB, INC.	C3 & NATIONAL GANG UNIT PURCHASE; XRY OFFICE COMPLETE & XRY LOGICAL & PHYSICAL CERTIFICATION TRAINING. COTR: CARLOS VELEZ-RAMIREZ. POP: 1YR FROM DATE OF AWARD.	\$224,925.00	8/31/2011	8/31/2012	LOGICAL FOLLOW-ON CONTRACT.
HSCETE11P00072	ABOVENET COMMUNICATIONS, INC.	BACKSTOPPED COMMUNICATIONS FOR LAW ENFORCEMENT WORK AT C3.	\$59,400.00	9/29/2011	9/29/2012	ONLY ONE SOURCE.
HSCETE11P00053	AFIX TECHNOLOGIES, INC.	PREVENTATIVE MAINTENANCE AGREEMENT FOR AFIX TRACKER AFIS SYSTEM LOCATED AT THE FORENSIC DOCUMENT LABORATORY.	\$5,550.00	9/13/2011	9/14/2014	ONLY ONE SOURCE.
HSCETE11P00073	AGILEMESH, INC.	AGILEITY SOFTWARE SUITE FOR INVESTIGATIVE INTERCEPT PROGRAMS.	\$20,495.00	9/29/2011	10/28/2011	ONLY ONE SOURCE.
HSCETE11P00036	CELLEBRITE USA CORP.	UFED SYSTEM.	\$5,563.00	8/30/2011	9/30/2011	ONLY ONE SOURCE.
HSCETE11P00029	CLS AMERICA, INC.	MONTHLY PLATFORM FEE & ENGINEERING SERVICES TO SUPPORT TECHNICAL OPERATIONS' COVERT SATELLITE TRACKING PROGRAM. ITSR APPROVAL #27013. WILL NOT TOUCH THE ICE LAN.	\$49,999.60	9/13/2011	7/30/2012	ONLY ONE SOURCE.

HSCETE11P00029	CLS AMERICA, INC.	MONTHLY PLATFORM FEE & ENGINEERING SERVICES TO SUPPORT TECHNICAL OPERATIONS' COVERT SATELLITE TRACKING PROGRAM. ITSR APPROVAL #27013. WILL NOT TOUCH THE ICE LAN.	\$63,622.00	7/29/2011	7/30/2016	ONLY ONE SOURCE.
HSCETE11P00020	COSTCONTROL USA, LLC	COST PERFORM LICENSES AND ONE YEAR MAINTENANCE SUPPORT.	\$42,000.00	7/18/2011	7/17/2012	ONLY ONE SOURCE.
HSCETE11P00037	ELSAG NORTH AMERICA, LLC	LICENSE PLATE RECOGNITION DEVICE EQUIPMENT.	\$25,026.00	8/22/2011	9/17/2011	ONLY ONE SOURCE.
HSCETE11P00031	FERNICO, LLC	ANNUAL RENEWAL SUPPORT/MAINTENANCE OF 93 EXISTING FERNICO ZRT LICENSES USED IN THE STANDARDIZED ICE CFA PROGRAM.	\$13,950.00	8/4/2011	9/3/2011	ONLY ONE SOURCE.
HSCETE11P00023	GOVDELIVERY, INC.	NEXT GENERATION OF GOVERNMENT SUMMIT POP: 7/28/11 - 7/29/11 AMB#:5825.	\$5,000.00	7/26/2011	7/29/2011	ONLY ONE SOURCE.
HSCETE11P00030	IMAGEWARE SYSTEMS, INC.	INVESTIGATIVE TOOL NEEDED FOR CASE DEVELOPMENT. HQ ITSR APPROVAL NUMBER 30034. IMAGEWARE SYSTEMS, . INC. I&A AND QUOTE IW503049-03 ATTACHED UPON SUBMISSION.	\$27,246.39	8/11/2011	9/10/2011	ONLY ONE SOURCE.
HSCETE11P00051	INTERNATIONAL BUSINESS MACHINES CORP.	LICENSE RENEWAL FOR LOGICNET SW.	\$38,327.00	9/15/2011	6/30/2012	ONLY ONE SOURCE.

HSCETE11F00089	JSI TELECOM, INC.	DIGITAL COLLECTION SYSTEM.	\$236,350.00	8/11/2011	1/8/2012	ONLY ONE SOURCE.
HSCETE11F00090	JSI TELECOM, INC.	DIGITAL COLLECTION SYSTEM.	\$236,350.00	8/11/2011	1/8/2012	ONLY ONE SOURCE.
HSCETE11F00094	JSI TELECOM, INC.	WORKSTATIONS.	\$59,630.00	8/15/2011	1/13/2012	ONLY ONE SOURCE.
HSCETE11F00098	JSI TELECOM, INC.	WORKSTATIONS FOR LA FACILITY.	\$125,950.00	8/17/2011	1/8/2012	ONLY ONE SOURCE.
HSCETE11F00127	JSI TELECOM, INC.	TI11 OPERATIONS.	\$793,570.00	9/8/2011	3/7/2012	ONLY ONE SOURCE.
HSCETE11J00183	JSI TELECOM, INC.	EQUIPMENT PURCHASED TO SUPPORT T3 ROOM FOR OPERATION GREEN TWISTER. THE ITEMS WILL NOT CONNECT TO THE DHS NETWORK OR TOUCH THE ICE LAN. ITEMS ARE TO BE DELIVERED TO 3625 N.W. 56TH ST., OKLAHOMA CITY, OK 73112-4519. POC DIXIE PASLEY.	\$214,150.00	8/1/2011	8/27/2011	ONLY ONE SOURCE.
HSCETE11J00198	JSI TELECOM, INC.	UPGRADES TO ARCHIVE MEDIA PLATFORMS FOR 21 SYSTEMS AND HARDWARE UPGRADES FOR 2 SYSTEMS. AAP #201169570. PRICING FROM BOA DJDEA-08-C-0005.				ONLY ONE SOURCE.
HSCETE10P00019	KALOS, INC.	CIPS MAINTENANCE AND SUPPORT.	\$404,390.00	8/1/2011	8/27/2011	ONLY ONE SOURCE.
HSCETE11P00065	KEL-TECH PLASTICS, INC.	HIML AGENTS WILL USE THE ELECTRONIC SURVEILLANCE EQUIPMENT IN THEIR INVESTIGATIONS.	\$70,550.00	6/1/2011	5/31/2012	ONLY ONE SOURCE.
			\$5,560.00	9/17/2011	10/17/2011	

HSCETE11P00015	SKYWAVE MOBILE COMMUNICATIONS, INC.	EXERCISE OPTION YEAR 2 ON PO # HSCETE-09-P-00047; ITSR APPROVAL #27014; MONTHLY SERVICE/TERMINAL MESSAGE FEES FOR TECH OPS' COVERT SATELLITE TRACKING PROGRAM.	\$15,000.00	7/1/2011	6/30/2012	ONLY ONE SOURCE.
HSCETE11P00005	ACTIONABLE INTELLIGENCE TECHNOLOGIES, INC.	FINANCIAL INVESTIGATION SYSTEM SOFTWARE WITH A 1 YEAR MAINTENANCE SUBSCRIPTION.	\$18,811.98	3/17/2011	3/16/2012	ONLY ONE SOURCE.
HSCETE11P00040	ACTIONABLE INTELLIGENCE TECHNOLOGIES, INC.	SOFTWARE WILL BE USED BY THE FINANCIAL UNDERCOVER GROUP TO ANALYZE BANK ACCOUNTS.	\$6,270.66	8/22/2011	9/22/2011	ONLY ONE SOURCE.
HSCETE11P00048	ASSET SECURITY TRACKING RECOVER	OPERATION PIPELINE EXPRESS FUNDED COVERT STREET LUMINARE COMPLETE.	\$35,024.25	9/9/2011	10/15/2011	ONLY ONE SOURCE.
HSCETE08F00023	COMPUWARE CORP.	COMPUWARE MANAGEMENT/SOFTWARE SUPPORT SERVICES.	\$3,502.65	2/1/2011	1/31/2012	ONLY ONE SOURCE.
HSCETE08F00063	COMPUWARE CORP.	THE PURPOSE OF THIS MODIFICATION IS TO EXERCISE OPTION YEAR 3 FOR ANNUAL SUPPORT FOR VANTAGE SOFTWARE IN SUPPORT OF ICE CIO OPERATIONS, WASHINGTON, D.C. OFFICE.	\$54,306.50	7/19/2011	7/30/2012	ONLY ONE SOURCE.
HSCETE11P00039	CRIME POINT, INC.	SURVEILLANCE EQUIPMENT - CRIME POINT.	\$25,887.00	8/23/2011	9/25/2011	ONLY ONE SOURCE.

HSCETE11P00060	CRIME POINT, INC.	REQUIRED TO SUPPORT THE TECHNICAL OPERATIONS UNIT'S INVESTIGATIVE INTERCEPT PROGRAMS.	\$4,694.00	9/16/2011	10/14/2011	ONLY ONE SOURCE.
HSCETE11P00025	D B SOFTWARE ASSOCIATES, LLC	GRIP IS A SOFTWARE PROGRAM THAT CURRENTLY SUPPORTS THE PROCESSING OF DETAINEES ALONG WITH MOVEMENT, BED SPACE, INTELLIGENCE & GANG RELATED INFO TO ICE OFFICERS AT THE BPDF.	\$5,475.00			ONLY ONE SOURCE.
HSCETE11P00032	GENESIS CONCEPTS & CONSULTANTS, LLC	SECURITY SYSTEM SERVER IS FAULTING DUE TO LACK OF AIR CONDITIONING IN PRESENT LOCATION - MUST RELOCATE TO 15TH FLOOR SERVER ROOM WITH STAND ALONE AC.	\$2,999.00	7/26/2011	8/26/2011	ONLY ONE SOURCE.
HSCETE09P00048	TELCO SOLUTIONS, INC.	ACCESS TO LOCAL NUMBER PORTABILITY ITSR APPROVAL: 22289	\$13,200.00	8/2/2011	9/2/2011	ONLY ONE SOURCE.
				9/29/2011	9/28/2012	

5. **Question:** In total, how much of your awards are competitive? Please answer in dollar amount and percentage.

ANSWER: The fiscal year 2011 competition rate was 84 percent with \$1.103 billion competed.

6. **Question:** Update and submit, through the most recent month available, the list of Sole Source Contracts provided in the hearing record last year. Organize by contractor, purpose, appropriation account, dollar award, full performance value, contract start date, contract end date, and reason for sole-source.

ANSWER: Please see spreadsheet below.

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition AUTHORIZED BY STATUTE
HSCECR08P00008	MAVAGI ENTERPRISES, INC.	HOUSEKEEPING- LANDSCAPING/ GROUNDSKEEPING	70540	\$18,042.06	\$18,042.06	2/22/2012	2/29/2012	AUTHORIZED BY STATUTE
HSCECR08P00008	MAVAGI ENTERPRISE, INC.	HOUSEKEEPING- LANDSCAPING/ GROUNDSKEEPING	70540	\$18,042.06	\$18,042.06	2/2/2012	1/31/2012	AUTHORIZED BY STATUTE
HSCECR09P00044	FEDERAL LAW ENFORCEMENT TRAINING CENTER RECREATION ASSOCIATION	LEASE-RENT OF RECREATION NON-BLDG STRUCTURE	70540	\$30,142.53	\$30,142.53	1/26/2012	9/25/2012	ONLY ONE SOURCE
HSCECR12P00005	AMPSCO SYSTEM PARKING	LEASE/RENTAL OF PARKING FACILITIES	70540	\$442,800.00	\$442,800.00	1/1/2012	12/31/2012	ONLY ONE SOURCE
HSCECR12P00011	UPTODATE, INC.	PHOTO/MAP/PRINT/PUBLICATION- OTHER	70540	\$32,538.92	\$32,538.92	1/26/2012	1/31/2013	ONLY ONE SOURCE
HSCEDM10C00004	CORPORATE SOURCE, INC. THE	HOUSEKEEPING- FIRE PROTECTION	70540	\$56,357.88	\$56,357.88	2/15/2012	2/14/2013	AUTHORIZED BY STATUTE
HSCEDM11J00018	ECLIPSE BUSINESS GROUP, INC.	HOUSEKEEPING- FOOD	70540	\$25,995.75	\$25,995.75	1/26/2012	2/29/2012	AUTHORIZED BY STATUTE
HSCEDM11P00075	WASHTEENAW COUNTY CHILDREN'S SERVICES	HOUSEKEEPING- GUARD	70540	\$1,920.00	\$1,920.00	2/9/2012	4/30/2012	ONLY ONE SOURCE
HSCEDM12P00007	HYDRO SYSTEMS, INC.	UTILITIES-WATER	70540	\$3,168.00	\$3,168.00	2/9/2012	9/30/2012	UTILITIES FAR 41.2
HSCEDM12P00008	ANA-LAB CORP	UTILITIES-WATER	70540	\$2,825.00	\$2,825.00	2/22/2012	9/30/2012	UTILITIES FAR 41.2
HSCEDM12P00028	CADDO DESIGN, INC.	TOILETRY PAPER PRODUCTS	70540	\$25,636.99	\$25,636.99	1/3/2012	2/23/2012	AUTHORIZED BY STATUTE
HSCEDM12P00031	RECYCLED OFFICE PRODUCTS, INC.	CLOTHING, SPECIAL PURPOSE	70540	\$28,332.79	\$28,332.79	2/3/2012	3/3/2012	AUTHORIZED BY STATUTE
HSCEDM12P00036	CADDO DESIGN, INC.	CLEANING AND POLISHING COMPOUNDS AND PREPARATIONS	70540	\$9,287.35	\$9,287.35	1/25/2012	2/24/2012	AUTHORIZED BY STATUTE
HSCEDM12P00044	INDUSTRIES FOR THE BLIND, INC.	STATIONERY AND RECORD FORMS	70540	\$14,792.00	\$14,792.00	2/13/2012	3/13/2012	AUTHORIZED BY STATUTE
HSCEDM12P00045	COMPASS GRAPHICS	CLEANING AND POLISHING	70540	\$22,281.93	\$22,281.93	2/8/2012	3/8/2012	AUTHORIZED BY STATUTE

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD12P00047	COMPASS GRAPHICS	COMPOUNDS AND PREPARATIONS MEDICAL AND SURGICAL INSTRUMENTS, AND EQUIPMENT, AND SUPPLIES	70540	\$12,565.00	\$12,565.00	2/13/2012	3/13/2012	AUTHORIZED BY STATUTE
HSCEMD09F00005	KONICA MINOLTA BUSINESS SOLUTIONS USA, INC	COPIER MAINTENANCE; MOD P0007 ISSUED TO EXERCISE OPTION PERIOD 3 AND ADD FUNDS	70540	\$3,396.84	\$3,396.84	7/21/2011	9/30/2013	LOGICAL FOLLOW-ON CONTRACT
HSCEMD09F00005	KONICA MINOLTA BUSINESS SOLUTIONS USA, INC	SUBJ TO AVAIL OF FUNDS; REF PO HSCENV-08-F-000005; 3 COPIER MAINT CONTRACT (SUPPLIES INCLUDED) FOR SERVICE PERIOD 10/1/08 - 9/30/09 - 620 FRELING; AIRPORT TERM B & C, TOTAL PO \$3396.84; POC ANN MARIE BURNS 1-800-456-6422 EXT 2131. MOD P0005 ISSUED TO ADD INCREMENTAL FUNDS	70540	\$3,396.84	\$3,396.84	10/28/2010	9/30/2011	LOGICAL FOLLOW-ON CONTRACT
HSCEMD09F00013	STANLEY CONVERGENT SECURITY SOLUTIONS, INC.	FY 2011 PROVIDE MONTHLY SECURITY ALARM MONITORING. MOD P0007 ISSUED TO EXERCISE OPTION	70540	\$2,760.00	\$2,760.00	6/14/2011	9/30/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
		PERIOD 3 AND ADD FUNDS						
HSCEMD09F00013	STANLEY CONVERGENT SECURITY SOLUTIONS, INC	FUND OPTION YEAR 2 (CLIN 2001) FOR ALARM MONITORING; MOD P0005 ISSUED TO EXERCISE OPTION PERIOD 2 AND ADD FUNDS	70540	\$2,760.00	\$2,760.00	11/3/2010	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEMD09F00220	TRINITY TECHNOLOGY GROUP, INC	EXERCISE OPTION YEAR 2-TO PROVIDE CONTINUATION OF PERSONNEL SERVICES FOR THE OFFICE OF PROFESSIONAL RESPONSIBILITY	70540	\$1,295,196.40	\$1,295,196.40	8/16/2011	2/16/2012	ONLY ONE SOURCE
HSCEMD09P00021	COUNTY OF ALAMEDA CHRISTIAN ASSOCIATION OF NASHVILLE AND MIDDLE TENNESSEE	EXERCISE OPTION YEAR 2- CONTINUATION OF FIRING RANGE SERVICES SAC SAN FRANCISCO	70540	\$3,600.00	\$3,600.00	10/25/2010	9/30/2011	ONLY ONE SOURCE
HSCEMD09P00044	CHRISTIAN ASSOCIATION OF NASHVILLE AND MIDDLE TENNESSEE	EXERCISE OPTION YEAR 1- CONTINUATION OF GYM MEMBERSHIP SAC MIAMI	70540	\$8,280.00	\$8,280.00	10/01/2009	09/30/2010	ONLY ONE SOURCE
HSCEMD09P00044	CHRISTIAN ASSOCIATION OF NASHVILLE AND MIDDLE TENNESSEE	EXERCISE OPTION YEAR 2- CONTINUATION OF GYM MEMBERSHIP SAC MIAMI	70540	\$10,542.00	\$10,542.00	10/01/2010	9/30/2011	ONLY ONE SOURCE

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HSCEMD09P00058	MIDDLETOWN, TOWNSHIP OF	EXERCISE OPTION YEAR 3- CONTINUATION OF GUN RANGE SERVICES SAC NEWARK	70540	\$4,000.00	\$4,000.00	10/28/2010	9/30/2013	ONLY ONE SOURCE
HSCEMD09P00368	SUPREME SECURITY SYSTEMS, INC	EXERCISE FINAL OPTION YEAR 2- CONTINUATION OF SECURITY ALARM SERVICES SAC NEWARK	70540	\$8,340.00	\$8,340.00	10/19/2010	9/30/2011	ONLY ONE SOURCE
HSCEMD09P00285	ABM INDUSTRIES, INC	EXERCISE OPTION YEAR 2- CONTINUATION OF PARKING GARAGE SERVICES-OFFICE OF INTELLIGENCE	70540	\$59,160.00	\$59,160.00	8/1/2011	7/31/2012	ONLY ONE SOURCE
HSCEMD09P00293	AMERICAN ROAMER, LLC	EXERCISE OPTION YEAR 2- CONTINUATION OF ONLINE-SUBSCRIPTION SERVICES-HQ DIV 6	70540	\$5,789.25	\$5,789.25	6/8/2011	8/2/2012	ONLY ONE SOURCE
HSCEMD09P00293	AMERICAN ROAMER, LLC	INCREASE FUNDING FOR OPTION YEAR 2- UNIT PRICE CORRECTED FOR THE CONTINUATION OF ONLINE-SUBSCRIPTION SERVICES-HQ DIV 6	70540	\$9,137.75	\$9,137.75	8/15/2011	8/3/2011	ONLY ONE SOURCE
HSCEMD09P00361	BCS SYSTEMS, INC.	EXERCISE OPTION YEAR 2- CONTINUATION OF KOFAX ANNUAL SUPPORT SERVICES - OFFICE OF	70540	\$4,620.00	\$4,620.00	8/10/2011	9/25/2012	ONLY ONE SOURCE

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
		FINANCIAL MANAGEMENT						
HSCEMD10F00006	XEROX CORP.	COPIER MAINTENANCE SERVICES FOR 13 COPIERS IN THE ICE-OI SAC-NEW YORK OFFICE	70540	\$5,676.40	\$5,676.40	6/6/2011	9/30/2012	ONLY ONE SOURCE
		COPIER MAINTENANCE SERVICES FOR 13 COPIERS IN THE ICE-OI SAC-NEW YORK OFFICE						ONLY ONE SOURCE
HSCEMD10F00006	XEROX CORP.	COPIER MAINTENANCE SERVICES FOR 13 COPIERS IN THE ICE-OI SAC-NEW YORK OFFICE	70540	\$5,902.10	\$5,902.10	12/20/2010	9/30/2014	
HSCEMD10J00003	XEROX CORP.	COPIER MAINTENANCE ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE FOR ICE-OI-SAC SAN ANTONIO OFFICE	70540	\$2,712.00	\$2,712.00	6/3/2011	9/30/2012	FOLLOW-ON CONTRACT
		ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE FOR ICE-OI-SAC SAN ANTONIO OFFICE						ANNUAL ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE
HSCEMD10P00004	HOUSEHOLD DRIVERS REPORT, INC.	ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE FOR ICE-OI-SAC SAN ANTONIO OFFICE	70540	\$5,100.00	\$5,100.00	5/23/2011	9/30/2012	
		ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE FOR ICE-OI-SAC SAN ANTONIO OFFICE						ANNUAL ORDER RENEWAL FOR ACCESS TO HOUSEHOLD DRIVER REPORT CENTRAL ONLINE DATABASE
HSCEMD10P00004	HOUSEHOLD DRIVERS REPORT, INC.	JANITORIAL SERVICES FOR THE CHINNEY BLDG, ST. THOMAS, USVI, ICE - OI-SAC SAN JUAN/RAC ST.	70540	\$7,200.00	\$7,200.00	11/16/2010	9/30/2011	
		JANITORIAL SERVICES FOR THE CHINNEY BLDG, ST. THOMAS, USVI, ICE - OI-SAC SAN JUAN/RAC ST.						
HSCEMD10P00007	BOOTSIES CLEANING SVC, INC.	BOOTSIES CLEANING SVC, INC.	70540	\$7,200.00	\$7,200.00	11/23/2010	9/30/2011	ONLY ONE SOURCE

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		THOMAS OFFICE						
HSCEMD10P00007	BOOTSIES CLEANING SVC, INC	LANITORIAL SERVICES FOR THE CHINNERY BLDG, ST. THOMAS, USVI; ICE - OI- SAC SAN JUAN/RAC ST THOMAS OFFICE	70540	\$7,800.00	\$7,800.00	6/8/2011	9/30/2012	ONLY ONE SOURCE
		TERMINAL AGENCY FEES FOR TWO LOCATIONS: DETROIT, MI AND GRAND RAPIDS, MI; ICE-OI-SAC DETROIT						ONLY ONE SOURCE
HSCEMD10P00012	STATE POLICE, MICHIGAN DEPARTMENT OF	TERMINAL AGENCY FEES FOR TWO LOCATIONS: DETROIT, MI AND GRAND RAPIDS, MI; ICE-OI-SAC DETROIT	70540	\$11,880.00	\$11,880.00	12/10/2010	9/30/2011	
		TERMINAL AGENCY FEES FOR TWO LOCATIONS: DETROIT, MI AND GRAND RAPIDS, MI; ICE-OI-SAC DETROIT						
HSCEMD10P00012	STATE POLICE, MICHIGAN DEPARTMENT OF	MAINTENANCE FOR SECURITY SCREENING EQUIPMENT	70540	\$13,480.00	\$13,480.00	6/6/2011	9/30/2011	ONLY ONE SOURCE
HSCEMD10P00024	L-3 COMMUNICATIONS CORP.	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VA-ICE-OI-HQ- DIV 4	70540	\$6,799.92	\$6,799.92	1/25/2011	12/20/2012	MAINTENANCE FOR SECURITY SCREENING EQUIPMENT ONLY ONE SOURCE
HSCEMD10P00053	COVERT OPERATIONS PLANNING & TRAINING, INC.	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VA-ICE-OI-HQ- DIV 4	70540	\$20,000.00	\$20,000.00	2/18/2011	2/28/2012	
HSCEMD10P00054	TODD RADFORD	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VA-ICE-OI-HQ- DIV 4	70540	\$20,000.00	\$20,000.00	2/22/2011	2/28/2012	ONLY ONE SOURCE

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HSCEMD10P00055	DELANEY, ROBERT J.	TRAINING FOR DHS ICE AT THE ICE CYBERCRIMES CENTER IN FAIRFAX, VA- ICE-OI-HQ- DIV 4	70540	\$20,000.00	\$20,000.00	2/22/2011	3/1/2014	ONLY ONE SOURCE
HSCEMD10P00057	NEW YORK, CITY OF	FIRING RANGE FACILITY FEES AT RODMAN'S NECK OUTDOOR RANGE IN THE BRONX, NEW YORK, ICE-OI-SAC-NEW YORK	70540	\$25,485.28	\$25,485.28	1/25/2011	2/28/2015	ONLY ONE SOURCE
HSCEMD10P00114	EXPANCO, INC.	DOCUMENT DESTRUCTION SERVICES DFC	70540	\$3,963.48	\$3,963.48	7/1/2011	6/30/2012	ONLY ONE SOURCE
HSCEMD10P00127	LRP PUBLICATIONS, INC.	CYBERFEES AND WORKERS COMP SUBSCRIPTIONS FOR HUMAN CAPITAL PERSONNEL, RENEWED ANNUALLY, ICE-HCO	70540	\$34,732.00	\$34,732.00	4/5/2011	4/14/2015	ONLY ONE SOURCE
HSCEMD10P00128	IDESCO CORP	MAINTENANCE FOR INTEGRATED AMAG SECURITY SYSTEM IN THE SAC NY OFFICE, ICE-OI-SAC NEW YORK	70540	\$19,680.00	\$19,680.00	3/11/2011	4/30/2012	ONLY ONE SOURCE
HSCEMD10P00134	FALK TECHNICAL SERVICE CORP.	MAINTENANCE FOR SUPPLEMENTAL AIR CONDITIONER UNITS IN THE DHS-ICE-SAC-NEW YORK OFFICE IN NEW YORK, NY, ICE-OI-SAC NEW YORK	70540	\$30,900.00	\$30,900.00	2/28/2011	4/19/2012	ONLY ONE SOURCE

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HSCEMD10P00143	PUBLIC SAFETY & CORRECTIONAL SERVICES, MD DEPARTMENT OF	FY 2010 FUNDING TO ACQUIRE MONTHLY ACCESS TO THE MARYLAND STATE POLICE NATIONAL CRIME INFORMATION CENTER (NCIC) DATABASE, ICE-OI-SAC BALTIMORE CYBERCORPS INTERNSHIP PROGRAM FOR 12 RESEARCH STUDENTS AT THE UNIVERSITY OF TULSA, ICE-OI-HQ DIV 6	70540	\$2,016.00	\$2,016.00	6/6/2011	6/30/2015	ONLY ONE SOURCE
HSCEMD10P00144	UNIVERSITY OF TULSA, THE		70540	\$150,000.00	\$150,000.00	1/11/2011	5/17/2012	ONLY ONE SOURCE
HSCEMD10P00221	RESURGENS RISK MANAGEMENT, INC	EXERCISE OF OPTION FOR CANADIAN CAR INSURANCE	70540	\$146,500.00	\$146,500.00	7/8/2011	7/9/2013	ONLY ONE SOURCE
HSCEMD10P00224	SYMQUEST GROUP, INC	FAX MACHINE MAINTENANCE WARRANTY/MAINTENANCE FOR OBSERVER SYSTEMS & WEB SQL SERVER	70540	\$282.45	\$282.45	7/15/2011	7/14/2013	ONLY ONE SOURCE
HSCEMD10P00254	VOLICON, INC.		70540	\$7,570.67	\$7,570.67	8/18/2011	8/17/2012	ONLY ONE SOURCE

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HSCEMD10P00275	SPORTS BARN, INC	MEMBERSHIP IN FITNESS FACILITY; THIS WILL ALLOW AGENTS TO MEET FITNESS FOR DUTY REQUIREMENTS	70540	\$3,300.00	\$3,300.00	9/01/2011	8/31/2012	COMPETITION SOUGHT; ONLY ONE VENDOR COULD MEET ICE REQUIREMENTS FOR CONFIDENTIALITY DUE TO SECURITY REQUIREMENT NOT TO IDENTIFY AGENT NAMES OR FACES
HSCEMD10P00351	MOTOROLA, INC	TELECOMMUNICATIONS SYSTEM AND EQUIPMENT (TSE) DIGITAL UPGRADE FOR PUERTO RICO CONTRACTOR PROVIDES NECESSARY SERVICES TO CLOSEOUT ICE CONTRACTS	70540	\$63,982.10	\$63,982.10	11/18/2010	3/22/2011	JUSTIFICATION IN FILE LIMITING PURCHASE TO MOTOROLA DUE TO THE UNIQUE KNOWLEDGE AND ENGINEERING SKILLS REQUIRED TO UPGRADE THE EXISTING EQUIPMENT
HSCEMD11C00002	PROCON CONSULTING, LLC	COVERT AUDIO RECORDERS TO SUPPORT UNDERCOVER OPERATIONS	70540	\$1,287,432.00	\$1,287,432.00	8/29/2011	8/28/2014	AUTHORIZED BY STATUTE ORDERED UNDER DEFA CONTRACT DIDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCEMD11F00005	ADAPTIVE DIGITAL SYSTEMS, INC.	COVERT ELECTRONIC SURVEILLANCE EQUIPMENT TO BE USED BY SAC HONOLULU DURING SURVEILLANCE OPERATIONS.	70540	\$13,125.00	\$13,125.00	10/14/2010	11/26/2010	ORDERED UNDER DEFA CONTRACT DIDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCEMD11F00017	ADAPTIVE DIGITAL SYSTEMS, INC.		70540	\$7,377.00	\$7,377.00	3/2/2011	4/15/2011	ORDERED UNDER DEFA CONTRACT DIDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
		CONTRACT # DJDEA-08-C-0030						
HSCMD11F00019	ADAPTIVE DIGITAL SYSTEMS, INC.	AUDIO/VIDEO REDORDER FOR SURVEILLANCE OPERATIONS	70540	\$9,459.00	\$9,459.00	3/8/2011	4/20/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030; VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCMD11F00025	ADAPTIVE DIGITAL SYSTEMS, INC.	AUDIO/VIDEO RECORDERS	70540	\$7,000.00	\$7,000.00	4/27/2011	6/10/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030; VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCMD11F00036	ADAPTIVE DIGITAL SYSTEMS, INC.	AUDIO ONLY RECORDERS	70540	\$5,650.00	\$5,650.00	6/14/2011	7/8/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030; VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCMD11F00045	ADAPTIVE DIGITAL SYSTEMS, INC.	SURVEILLANCE EQUIPMENT	70540	\$5,650.00	\$5,650.00	6/27/2011	7/27/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030; VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCMD11F00055	STG INTERNATIONAL, INC.	EXECUTIVE SERVICE CONSULTATION SERVICES	70540	\$37,708.00	\$37,708.00	7/26/2011	9/14/2012	CONTRACTOR IS THE ONLY OFFEROR THAT CAN MEET THE GOVERNMENT'S REQUIREMENTS

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HSCEMD11F00067	ADAPTIVE DIGITAL SYSTEMS, INC.	ELECTRONIC SURVEILLANCE EQUIPMENT	70540	\$12,250.00	\$12,250.00	7/22/2011	8/22/2011	ORDERED UNDER DEA CONTRACT DIDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00088	ADAPTIVE DIGITAL SYSTEMS, INC.	AUDIO RECORDING EQUIPMENT	70540	\$22,600.00	\$22,600.00	8/2/2011	9/2/2011	ORDERED UNDER DEA CONTRACT DIDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.
HSCEMD11F00090	INTERNATIONAL SURVEILLANCE TECHNOLOGY, INC.	CONVERSION OF TWO GOVERNMENT FURNISHED VEHICLES INTO SURVEILLANCE PLATFORMS	70540	\$89,033.56	\$89,033.56	8/5/2011	11/4/2011	VENDOR IS THE ONLY CONTRACTOR WITH THE KNOWLEDGE AND FACILITY TO CONVERT THESE VEHICLES IN THE REQUIRED MANNER WHILE MAINTAINING THE COVERT NATURE OF THE PROJECT.
HSCEMD11F00097	MOTOROLA, INC.	SATELLITE RECEIVERS, TELEPHONES, AND OTHER TELECOMMUNICATIONS EQUIPMENT	70540	\$166,207.91	\$166,207.91	8/9/2011	12/9/2011	JUSTIFICATION IN FILE LIMITING PURCHASE TO MOTOROLA EQUIPMENT. COMPETITIVE SOLICITATION ISSUED; ONLY ONE OFFER RECEIVED.
HSCEMD11F00103	ADAPTIVE DIGITAL SYSTEMS, INC.	AUDIO AND VIDEO RECORDERS FOR USE IN INVESTIGATIVE OPERATIONS	70540	\$148,900.00	\$148,900.00	8/16/2011	9/16/2011	ORDERED UNDER DEA CONTRACT DIDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT.

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HSCEMD11F00112	ADAPTIVE DIGITAL SYSTEMS, INC.	8 HOUR A/V RECORDER AND GPS UNIT FOR USE IN INVESTIGATIVE OPERATIONS	70540	\$7,000.00	\$7,000.00	8/22/2011	10/21/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCEMD11F00130	ADAPTIVE DIGITAL SYSTEMS, INC.	DIGITAL RECORDING DEVICES REQUIRED FOR USE IN SURVEILLANCE OPERATIONS	70540	\$11,300.00	\$11,300.00	8/29/2011	10/28/2011	ORDERED UNDER DEA CONTRACT DJDEA-08-C-0030. VENDOR IS THE ONLY KNOWN MANUFACTURER OF THIS EQUIPMENT
HSCEMD11F00167	ADAPTIVE DIGITAL SYSTEMS, INC.	REMOTE RECORDING DEVICES	70540	\$20,705.00	\$20,705.00	9/13/2011	11/12/2011	ONLY ONE SOURCE - DEA CONTRACT DJDEA08C0030
HSCEMD11F00171	ADAPTIVE DIGITAL SYSTEMS, INC.	RECORDING DEVICES FOR SURVEILLANCE	70540	\$99,950.00	\$99,950.00	9/14/2011	10/21/2011	ONLY ONE SOURCE - DEA CONTRACT DJDEA08C0030
HSCEMD11F00173	ADAPTIVE DIGITAL SYSTEMS, INC.	RECORDING DEVICES FOR SURVEILLANCE OPS	70540	\$14,125.00	\$14,125.00	9/13/2011	10/21/2011	ONLY ONE SOURCE - DEA CONTRACT DJDEA08C0030
HSCEMD11P00003	TRANSPORTATION, WASHINGTON STATE DEPARTMENT OF	FERRY TOLLS FOR SAC SEATTLE ANNUAL CERTIFICATION, QUALIFICATION AND FIREARMS TRAINING FOR SAC SEATTLE SPECIAL AGENTS- FUNDING MODIFICATION	70540	\$1,800.00	\$1,800.00	11/1/2010	9/30/2011	LOGICAL FOLLOW-ON TO A PREVIOUS PURCHASE ORDER
HSCEMD11P00005	SEATTLE POLICE ATHLETIC ASSOCIATION	CONTINUATION OF SHOOTING RANGE SERVICE FOR FY 2011	70540	\$8,115.00	\$8,115.00	11/18/2010	9/30/2011	FOLLOW-ON CONTRACT AT APPROVED AND CERTIFIED RANGE
HSCEMD11P00006	PRADO FAMILY SHOOTING RANGE		70540	\$12,783.00	\$12,783.00	8/4/2011	9/30/2011	ONLY AVAILABLE RANGE IN THE AREA ALLOWING FEDERAL TRAINING

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HSCEMD11P00006	PRADO FAMILY SHOOTING RANGE	CONTINUATION OF SHOOTING RANGE SERVICE FOR FY 2011	70540	\$25,000.00	\$25,000.00	1/5/2011	9/30/2011	ONLY AVAILABLE RANGE IN THE AREA ALLOWING FEDERAL TRAINING
HSCEMD11P00008	STOLAR RESEARCH CORP.	CROSS BORDER TUNNEL SURVEY SERVICES- INTERDICTION & REMEDIATION	70540	\$29,340.00	\$29,340.00	11/16/2010	11/20/2010	USE OF ELECTROMAGNETIC GRADIOMETER PROPRIETARY TO VENDOR, USED BEFORE WITH DESIRED RESULTS
HSCEMD11P00011	MESA, CITY OF	AGENT TRAINING & QUALIFICATION-SAC PHOENIX	70540	\$7,500.00	\$7,500.00	12/7/2010	12/31/2011	FOLLOW-ON CONTRACT TO AVOID INTERRUPTION OF TRAINING & SECURITY
HSCEMD11P00014	TEXAS WIRED MUSIC, INC.	SATELLITE SERVICES TO PROVIDE LOCAL & NATL. NEWS AS IT RELATES TO ICE MISSION	70540	\$1.00	\$1.00	12/14/2010	12/31/2011	SOLE SATELLITE PROVIDER IN THE AREA
HSCEMD11P00016	TEXAS STATE UNIVERSITY-SAN MARCOS	FIREARMS TRAINING FACILITY REQUIRED BY THE SAC SAN ANTONIO OFFICE FOR SPECIAL AGENT QUALIFICATIONS	70540	\$4,400.00	\$4,400.00	12/22/2010	12/31/2011	ONLY AVAILABLE RANGE IN THE AREA MAKING IT THE MOST COST EFFECTIVE SOLUTION
HSCEMD11P00017	STURDEVANT SR, RICHARD A	RETIRED SPECIAL AGENT RICHARD STURDEVANT IS NEEDED TO ASSIST THE NORTHERN DISTRICT OF N.Y. U.S. ATTORNEY OFFICE WITH TRIAL PREPARATION	70540	\$8,800.00	\$8,800.00	12/28/2010	3/8/2011	AGENT'S PRIOR KNOWLEDGE OF THE EVIDENCE MADE HIM A SOLE SOURCE OF INFORMATION REGARDING CASE PREPARATION

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00018	NAFSA ASSOCIATION OF INTERNATIONAL EDUCATORS	SPACE AT THE NAFSA KEY STAKEHOLDER CONFERENCE IN MAY/JUNE 2011 IN SUPPORT OF THE STUDENT AND EXCHANGE VISITOR PROGRAM (SEVP)	70540	\$19,400.00	\$19,400.00	5/30/2011	6/3/2011	BOOTH RENTAL AT NAFSA 2011 EXPO FOLLOW-ON CONTRACT FOR SECURITY SYSTEM MONITORING & MAINTENANCE TO AVOID INTERRUPTION OF SERVICE & POTENTIAL SECURITY BREACH
HSCEMD11P00020	ALERT HOLDINGS GROUP, INC	RENEWAL OF MONTHLY ALARM MONITORING & MAINTENANCE	70540	\$4,405.68	\$4,405.68	1/6/2011	1/31/2012	LOGICAL FOLLOW-ON TO A PREVIOUS PURCHASE ORDER; ONLY SECURE GARAGE IN CLOSE PROXIMITY TO GIAMIO FEDERAL BLDG
HSCEMD11P00022	LAZ PARKING LTD, LLC	RENEWAL OF 2 SECURE PARKING SPACES FOR OPTION YEAR 2 FOR FY 2011, CONTRACT NUMBER # HSCENV-09-P-00016	70540	\$3,000.00	\$3,000.00	1/12/2011	1/31/2016	LICENSE PLATE RENEWALS COME ONLY FROM THE STATE
HSCEMD11P00027	MOTOR VEHICLES, NEW YORK DEPARTMENT OF	COST FOR U/C LICENSE PLATES, REGISTRATION AND DMV REQUIREMENTS	70540	\$25,000.00	\$25,000.00	6/6/2011	9/30/2012	LICENSE PLATE RENEWALS COME ONLY FROM THE STATE
HSCEMD11P00027	MOTOR VEHICLES, NEW YORK DEPARTMENT OF	COST FOR U/C LICENSE PLATES, REGISTRATION AND DMV REQUIREMENTS	70540	\$25,000.00	\$25,000.00	1/28/2011	9/30/2011	LICENSE PLATE RENEWALS COME ONLY FROM THE STATE

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00028	ABM INDUSTRIES, INC.	ADDITIONAL SIX STALLS REQUIRED FOR AGENTS AND TASK FORCE EMPLOYEES TO CONDUCT SUSPECT REAL ESTATE CHECKS, ETC AT THE HONOLULU INTERNATIONAL AIRPORT. THESE STALLS ARE NOT SUBJECT TO THE NATIONAL CONTRACT	70540	\$3,960.00	\$3,960.00	1/27/2011	1/31/2012	LOGICAL FOLLOW-ON CONTRACT, IT WOULD NOT BE COST EFFECTIVE TO SPLIT AGENT INSPECTIONS WITH A FARTHER AWAY FACILITY
HSCEMD11P00029	SIGNAL INTELLIGENCE, INC. INTERNATIONAL	BUY 3 REMOTE RADIO SIGNAL APPLIANCES	70540	\$7,800.00	\$7,800.00	2/7/2011	2/7/2011	ONLY ONE SOURCE
HSCEMD11P00034	ASSOCIATION OF FINANCIAL CRIMES INVESTIGATORS	ANNUAL MEMBERSHIP RENEWAL FOR IAFCI	70540	\$5,630.00	\$5,630.00	3/31/2011	3/31/2012	ONLY ONE SOURCE
HSCEMD11P00036	KYC NEWS, INC.	EXHIBIT BOOTH RENTAL AT A CONFERENCE	70540	\$4,000.00	\$4,000.00	3/2/2011	4/6/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEMD11P00040	PALANTIR TECHNOLOGIES, INC. ADVANCED	SUPPLY OF DELL SERVERS, CLOUD SERVER LICENSING, AND TRAINING	70540	\$58,122.00	\$58,122.00	2/24/2011	4/24/2011	SOLE SOURCE - FAR 13
HSCEMD11P00044	MARKETING & SALES ASSOCIATES	NAGRA SMARTCARD RECORDER & CCR DOCKING STATION	70540	\$3,670.00	\$3,670.00	3/9/2011	4/30/2011	SOLE SOURCE - FAR 13
HSCEMD11P00048	ACR ELECTRONICS, INC.	GPS/PLB TO SUPPORT SURVEILLANCE OPERATIONS	70540	\$12,183.60	\$12,183.60	3/28/2011	4/27/2011	SOLE SOURCE - FAR 13 & 6.303-2

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00050	INTERNATIONAL ASIAN ORGANIZED CRIME CONFERENCE	INT'L ASIAN ORGANIZED CRIME CONFERENCE	70540	\$17,442.00	\$17,442.00	3/28/2011	4/22/2011	SOLE SOURCE - FAR 13
HSCEMD11P00051	ADVANCED MARKETING & SALES ASSOCIATES	2 SMARTCARD RECORDERS AND DOCKING STATIONS FOR TECHOPS	70540	\$5,990.00	\$5,990.00	3/28/2011	4/28/2011	SOLE SOURCE - FAR 13 & 6.303-2
HSCEMD11P00053	DECORATING SERVICES, INC.	BOOTH ITEMS AT NAFAA CONF	70540	\$35.00	\$35.00	9/8/2011	6/3/2011	SOLE SOURCE - FAR 13
HSCEMD11P00053	DECORATING SERVICES, INC.	BOOTH ITEMS AT NAFAA CONF	70540	\$5,737.61	\$5,737.61	4/19/2011	6/3/2011	SOLE SOURCE - FAR 13
HSCEMD11P00056	DATONG ELECTRONICS, INC	RAPID GPS TRACKERS TO SURVEY OPS IN MEXICO	70540	\$13,200.00	\$13,200.00	4/4/2011	4/4/2011	SOLE SOURCE - FAR 13
HSCEMD11P00060	THE PALMAS ACADEMY, INC.	TUITION FEE FOR FIVE DEPENDENT STUDENTS FOR SY 2011-2012	70540	\$52,950.00	\$52,950.00	4/15/2011	5/31/2012	SOLE SOURCE - FAR 13
HSCEMD11P00061	CARIBBEAN SCHOOL, INC.	TUITION FOR TEN (10) DEPENDENT STUDENTS FOR SY 2011-2012 IN CARIBBEAN SCHOOL IN PONCE, PR	70540	\$51,105.00	\$51,105.00	4/15/2011	5/31/2011	SOLE SOURCE - FAR 13
HSCEMD11P00062	EKP CONSTRUCTION, INC.	EMERGENCY COIL REPAIR ON A 30 TON TRANE A/C SYSTEM AT THE RAC MAYAGUEZ	70540	\$24,910.00	\$24,910.00	4/15/2011	6/15/2011	AUTHORIZED BY STATUTE
HSCEMD11P00063	NATIONAL SHERIFFS' ASSOCIATION	RENT BOOTH AT 2011 NATL SHERIFFS ASSOCIATION CONF	70540	\$3,800.00	\$3,800.00	4/19/2011	6/22/2011	SOLE SOURCE - FAR 13
HSCEMD11P00066	INTERNATIONAL ASSOCIATION OF	EXHIBIT BOOTH AT INTL CHIEFS OF	70540	\$3,980.00	\$3,980.00	4/20/2011	10/26/2011	SOLE SOURCE - FAR 13 & 6.303-2

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
	CHIEFS OF POLICE	POLICE CONF						
HSCEMD11P00071	SIGNAL INTELLIGENCE, INC.	UPGRADE EQUIPMENT INSTALLED IN KEY WEST, FL	70540	\$16,519.00	\$16,519.00	4/28/2011	6/15/2011	SOLE SOURCE - FAR 13
HSCEMD11P00073	SAN JOSE, CITY OF	PARKING SPACES FOR GOV'S	70540	\$37,200.00	\$37,200.00	5/2/2011	6/30/2013	SOLE SOURCE - FAR 13
HSCEMD11P00075	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA SMARTCARD RECORDER & CCR DOCKING STATN	70540	\$3,670.00	\$3,670.00	5/11/2011	5/27/2011	SOLE SOURCE - FAR 13
HSCEMD11P00093	HIGHWAY SAFETY AND MOTOR VEHICLES, FLORIDA DEPARTMENT OF	SAC MIAMI TAG RENEWAL	70540	\$4,914.90	\$4,914.90	6/21/2011	7/21/2011	SOLE SOURCE - FAR 13
HSCEMD11P00097	KEYW CORP., THE	JUGULAR3, PN: 200445-001 SURVEILLANCE EQUIPMENT	70540	\$6,500.00	\$6,500.00	6/22/2011	7/22/2011	SOLE SOURCE - FAR 13
HSCEMD11P00098	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA SMARTCARD RECORDER & CCR DOCKING STATN	70540	\$6,210.00	\$6,210.00	6/23/2011	7/24/2011	SOLE SOURCE - FAR 13
HSCEMD11P00099	DATONG ELECTRONICS, INC.	TRACKING EQUIPMENT	70540	\$8,200.00	\$8,200.00	6/24/2011	7/24/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT FROM ONE SOURCE
HSCEMD11P00102	DATONG ELECTRONICS, INC.	PURCHASE ORDER FOR THE PURCHASE OF 3 DATONG TRACKERS FOR RAC SARASOTA HSI OFFICE	70540	\$6,150.00	\$6,150.00	6/28/2011	7/28/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT FROM ONE SOURCE

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HSCEMD11P00103	ADVANCED MARKETING & SALES ASSOCIATES	CCR SMARTCARD AND DOCKING STATION KIT AND VFOB AUDIO/VIDEO RECORDER PURCHASE (20) SBD- ONLY SATELLITE TRACKERS&ANTEN NAS IN SUPPORT OF MEXICO'S VETTED UNIT	70540	\$6,480.00	\$6,480.00	6/28/2011	7/28/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCEMD11P00104	NAL RESEARCH CORP		70540	\$16,100.00	\$16,100.00	6/30/2011	7/11/2011	ONLY ONE SOURCE PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCEMD11P00105	INNOVA-CON, INC	2 - FLAT-PAK PTT SATELLITE TRACKERS	70540	\$7,900.00	\$7,900.00	6/30/2011	7/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF ADDITIONAL PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCEMD11P00106	SETTLE, LARRY E	SECURITY GATE REPAIR	70540	\$2,847.00	\$2,847.00	6/30/2011	8/1/2011	FOLLOW-ON CONTRACT - PAY BY P-CARD, USED THE KTR WHO INSTALLED THE GATE
HSCEMD11P00108	DATONG ELECTRONICS, INC	SURVEILLANCE EQUIPMENT TO FURTHER FINANCIAL INVESTIGATIONS	70540	\$42,000.00	\$42,000.00	7/7/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF ADDITIONAL PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00109	IMPERIAL COUNTY (INC)	DETENTION SERVICES FOR JUVENILES ON AN AS NEEDED BASIS FOR EL CENTRO DETAINEES PREVENTATIVE MAINTENANCE AGREEMENT FOR OXFORD INSTRUMENTS INCA MICS/X-STREAM/2X-MAX80 X-RAY SPECTROMETER LOCATED AT THE FORENSIC DOCUMENT LABORATORY	70540	\$7,000.00	\$7,000.00	7/5/2011	9/29/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ONLY AVAILABLE SOURCE FOR JUVENILE DETENTION
HSCEMD11P00111	OXFORD INSTRUMENTS AMERICA, INC		70540	\$12,550.00	\$12,550.00	8/16/2011	8/15/2016	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ON-GOING MAINTENANCE OF SPECIALIZED EQUIPMENT
HSCEMD11P00112	DATONG ELECTRONICS, INC.	PURCHASE (10) CLASSIS RAPID TRACKERS	70540	\$15,000.00	\$15,000.00	7/13/2011	9/8/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCEMD11P00113	SYNDETIX, INC.	AUXILIARY EQUIP REQUIRED FOR OVER THE AIR TRACKING PROGRAMS	70540	\$70,722.00	\$70,722.00	7/8/2011	9/8/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCMD11P00117	NAL RESEARCH CORP	SATELLITE TRACKERS	70540	\$12,075.00	\$12,075.00	7/12/2011	7/22/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP COMPATIBLE WITH EXISTING EQUIP
HSCMD11P00119	KEYW HOLDING CORP., THE	EQUIPMENT REQUIRED FOR OVER THE AIR TRACKING PROGRAMS	70540	\$130,000.00	\$130,000.00	7/12/2011	9/12/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCMD11P00120	GANS & PUGH ASSOCIATES, INC.	TRACKING EQUIPMENT. DIRECTION FINDING BEACONS	70540	\$22,692.00	\$22,692.00	7/12/2011	9/12/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCMD11P00126	ACAMS, INC	INDUSTRY CONFERENCE ATTENDANCE AND BOOTH DISPLAY	70540	\$4,500.00	\$4,500.00	7/18/2011	11/9/2011	ONLY ONE SOURCE - EXISTING HSI ATTENDED OUTREACH FUNCTION CONDUCTED BY KTR
HSCMD11P00127	GANS & PUGH ASSOCIATES, INC.	TRACKING SYSTEM FOR CREDIT CARD ALERTS	70540	\$149,700.00	\$149,700.00	7/18/2011	9/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER

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HSCEMD11P00128	ADVANCED MARKETING & SALES ASSOCIATES	AUDIO/VIDEO RECORDER AND SMART CARD RECORDERS WITH DOCKING STATION KITS	70540	\$137,564.60	\$137,564.60	7/19/2011	8/21/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP
HSCEMD11P00130	WESTERN UNION COMPANY, THE	FINANCIAL TRANSACTIONS SERVICES	70540	\$130,000.00	\$130,000.00	9/1/2011	8/31/2014	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - UNDERCOVER FINANCIAL TRACKING OPERATIONS, REQUIRED SOURCE
HSCEMD11P00131	TROY, CITY OF	CITY OF TROY POLICE FIRING RANGE RENTAL	70540	\$8,000.00	\$8,000.00	7/29/2011	7/31/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - FUNDING FOR EXISTING MOU FOR RANGE RENTAL FOR SAC DETROIT, ONLY AVAIL SOURCE
HSCEMD11P00132	FEENEY WIRELESS, LLC	SOFTWARE FOR EXISTING SURVEILLANCE SYSTEMS	70540	\$40,895.00	\$40,895.00	7/27/2011	9/15/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY SOFTWARE TO BE USED IN EXISTING HSI SYSTEMS

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCMD11P00133	CRIME POINT, INC.	SURVEILLANCE EQUIPMENT	70540	\$250.00	\$250.00	8/3/2011	9/15/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ADDITIONAL EQUIPMENT TO SUPPLEMENT EXISTING COVERT SURVEILLANCE SYSTEMS
HSCMD11P00133	CRIME POINT, INC.	SURVEILLANCE EQUIPMENT	70540	\$95,370.00	\$95,370.00	7/27/2011	9/15/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ADDITIONAL EQUIPMENT TO SUPPLEMENT EXISTING COVERT SURVEILLANCE SYSTEMS
HSCMD11P00134	B. E. MEYERS & CO INC.	NIGHT VISION KITS FOR EXISTING EQUIPMENT	70540	\$76,561.80	\$76,561.80	7/27/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - COVERT SURVEILLANCE EQUIP TO INTERFACE WITH EXISTING EQUIP
HSCMD11P00136	SYNDETIX, INC.	C-HEATER RECEIVERS FOR FIELD INVESTIGATIONS	70540	\$141,444.00	\$141,444.00	7/27/2011	8/28/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - PURCHASE OF PROPRIETARY UNDERCOVER SURVEILLANCE EQUIP

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HSCEMD11P00138	ASIAN GANG INVESTIGATOR'S ASSOCIATION OF CALIFORNIA	CONFERENCE ON ASIAN GANGS REGISTRATION FEE	70540	\$6,500.00	\$6,500.00	7/27/2011	8/4/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION - ATTENDANCE REGISTRATION FEES - ONLY SOURCE
HSCEMD11P00139	NATIONAL CYBER-FORENSICS AND TRAINING ALLIANCE LIMITED	INTELLIGENCE DATABASE ACCESS	70540	\$248,899.44	\$1,244,497.20	09/26/2011	9/25/2016	ONLY ONE SOURCE PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY
HSCEMD11P00141	GANS & PUGH ASSOCIATES, INC.	GPS TRACKERS	70540	\$123,500.00	\$123,500.00	7/29/2011	10/21/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT TO IDENTIFY MALFUNCTIONS WITH WIDE RANGE OF ICE EQUIPMENT
HSCEMD11P00146	OPTOELECTRONICS, INC	POWER COUNTER KIT 10MHZ - 2.6GHZ	70540	\$18,683.00	\$18,683.00	8/1/2011	11/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION DUE TO FAMILIARIZATION WITH SPECIFIC INSTALLATION IN OFFICE
HSCEMD11P00148	T A CUBED, INC.	DOOR ACCESS PANEL / CARD READER INSTALLATION	70540	\$3,834.00	\$3,834.00	8/2/2011	10/15/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION
HSCEMD11P00151	CALIFORNIA GANG INVESTIGATORS ASSOCIATION	REGISTRATION FEES FOR THE CGIA CONFERENCE	70540	\$6,250.00	\$6,250.00	8/1/2011	8/5/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
								ATTENDING CONFERENCE AND LOCATION WERE SET-UP BY 3RD PARTY
HSCEMD11P00155	DATONG ELECTRONICS, INC.	TO PURCHASE 30 RAPID ENHANCED W/CELL BATT UNITS IN SUPPORT OF MEXICO'S VETTED UNIT	70540	\$61,500.00	\$61,500.00	8/9/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE EQUIPMENT THAT MET REQUIREMENTS OF INVESTIGATION
HSCEMD11P00156	MILESTONE SYSTEMS, INC.	XPROTECT ENTERPRISE CAMERA SOFTWARE LICENSE	70540	\$16,140.00	\$16,140.00	8/4/2011	10/10/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE EQUIPMENT THAT MET REQUIREMENTS OF INVESTIGATION
HSCEMD11P00157	BLAUER TACTICAL SYSTEMS, INC.	S P E A R TRAINNG	70540	\$22,500.00	\$22,500.00	8/5/2011	9/30/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION EQUIPMENT THAT ATTACHES TO ICE AGENTS EQUIPMENT WITHOUT MODIFICATION
HSCEMD11P00165	INTECH, LLC	THIS EQUIPMENT IS NEED TO SUPPORT ICE JIOC MISSION	70540	\$69,145.00		8/9/2011	10/10/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION SPECIALIZED EQUIPMENT AVAILABLE ONLY THROUGH VENDOR

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00167	PERKINELMER HEALTH SCIENCES, INC.	PREVENTATIVE MAINTENANCE AGREEMENT FOR FTIR SPECTROPHOTOMETER	70540	\$5,254.08	\$5,254.08	8/11/2011	8/31/2016	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY KNOWLEDGE OF EQUIPMENT
HSCEMD11P00168	NAL RESEARCH CORP	ELECTRONIC TRACKING DEVICES	70540	\$23,240.00	\$23,240.00	8/10/2011	8/21/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT
HSCEMD11P00172	BRONWAY, LTD	CD/DVD COUNTER FOR EVIDENCE	70540	\$14,390.00	\$14,390.00	8/11/2011	9/12/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT
HSCEMD11P00176	EASTCOR ENGINEERING, LLC	PURCHASE OF (5) MAG-MOUNT SDR-T'S	70540	\$19,250.00	\$19,250.00	8/17/2011	9/15/2011	ONLY ONE SOURCE SUPPLEMENTED EQUIPMENT ALREADY IN USE BY AGENCY
HSCEMD11P00180	EASTCOR ENGINEERING, LLC	DATA RECORDER TRACKERS	70540	\$11,550.00	\$11,550.00	8/15/2011	9/14/2011	ONLY ONE SOURCE SUPPLEMENTED EQUIPMENT ALREADY IN USE BY AGENCY
HSCEMD11P00183	JAMES T REESE & ASSOCIATES	ETHICS BASED LEADERSHIP PRESENTATION	70540	\$3,500.00	\$3,500.00	8/16/2011	9/21/2011	ONLY ONE SOURCE DUE TO UNIQUE BACKGROUND AND SPECIALIZED REQUIREMENTS OF TRAINING
HSCEMD11P00184	MEDIACOM SOUTHEAST, LLC	DSL SERVICE FOR CHILD PORN TRACKING DATABASE ACCESS	70540	\$3,357.60	\$3,357.60	8/16/2011	8/24/2016	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION EQUIPMENT NOT

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition Available At Location Where Needed
HSCMD11P00187	MARRIOTT INTERNATIONAL, INC.	EXECUTIVE LEADERSHIP TRAINING SEMINAR AND THE IACP CONFERENCE 10/19/11 - 10/24/11 IN CHICAGO, IL	70540	\$22,630.00	\$22,630.00	9/7/2011	10/25/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION DUE TO NONAVAILABILITY OF OTHERS SPACES
HSCMD11P00190	ADVANCED MARKETING & SALES ASSOCIATES	NAGRA PRODUCT OPERATION IN SUPPORT OF COMMUNITY SHIELD, THE NGU IS PROVIDING REGISTRATION FEES, TRAINING TIME FOR ICE HSI SPEAKERS, AND TRAINING MATERIALS FOR ITS GANG UNIT AGENTS AND TASK FORCE OFFICERS WHO SUPPORT HSI INVESTIGATIONS AND SURGES	70540	\$15,525.00	\$15,525.00	8/24/2011	9/22/2011	ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY
HSCMD11P00191	INTERNATIONAL LATINO GANG INVESTIGATORS ASSOCIATION		70540	\$20,000.00	\$20,000.00	8/19/2011	8/26/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT TO ACQUIRE EVIDENCE COVERTLY

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HSCEMD11P00192	SOLKOA, INC.	TO SUPPORT ICE PERSONAL RECOVERY UNIT IN THE AREAS OF SURVIVAL, ESCAPE, RESISTANCE AND EVASION TRAINING	70540	\$62,309.50	\$62,309.50	8/19/2011	9/19/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE EVASION AND SIGNALING EQUIPMENT
HSCEMD11P00194	PUBLIC GRANTS & TRAINING INITIATIVES	TRAINING PRESENTATION	70540	\$8,600.00	\$8,600.00	8/22/2011	9/10/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION BASED ON UNAVAILABILITY OF OTHER TRAINERS
HSCEMD11P00196	HARRIS CORP.	STINGRAY II EQUIPMENT	70540	\$1,512,775.00	\$1,512,775.00	9/6/2011	12/31/2011	ONLY ONE SOURCE
HSCEMD11P00197	HENRY STAFFORD MD	FOLLOW UP FITNESS FOR DUTY PSYCHIATRIC EXAMINATION FOR CHARLES SUCHY; POP 09/01/11-12/31/11	70540	\$4,200.00	\$4,200.00	8/22/2011	8/26/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION BASED ON PRIOR EXPERIENCE CONDUCTING EVALUATION
HSCEMD11P00199	COBHAM TRACKING & LOCATING, LTD	TRACKERS NEEDED TO PERFORM COVERT SURVEILLANCE ON TARGET VEHICLES	70540	\$10,680.00	\$10,680.00	8/22/2011	10/21/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION UNIQUE REQUIREMENTS
HSCEMD11P00201	ADVANCED MARKETING & SALES ASSOCIATES	8/2/2011-PURCHASE OF SURVEILLANCE EQUIPMENT (SMARTCARD RECORDER/DOCKIN G STATION&VFOB	70540	\$3,780.00	\$3,780.00	8/23/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT TO

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
		AUDIO/VIDEO RECORDER)						ACQUIRE EVIDENCE COVERTLY
HSCEMD11P00202	ADVANCED MARKETING & SALES ASSOCIATES	AUDIO EQUIPMENT & RECORDER FOR CREDIT CARD CONCEALMENT	70540	\$9,520.00	\$9,520.00	8/23/2011	10/1/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY EQUIPMENT
HSCEMD11P00203	CAMBRIDGE INVESTMENT COMPANY, LLC	LEASE OF SELF-STORAGE UNITS JANITORIAL SERVICES NEEDED AT THE LUIS MARIN INTERNATIONAL AIRPORT HSI OFFICE IN THE 3RD FLOOR AND RAC AND RAC MAYAGUEZ, PR OFFICE	70540	\$3,240.00	\$3,240.00	8/24/2011	9/26/2016	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY KNOWLEDGE OF EQUIPMENT
HSCEMD11P00206	CORPORATE SOURCE, INC., THE		70540	\$209,321.88	\$209,321.88	8/31/2011	8/31/2012	AUTHORIZED BY STATUTE UNDER THE JAVITS-WAGNER-O'DAY ACT AND PERFORMED BY A NISH CONTRACTOR, MANDATORY UNDER FAR & 704(2)(U)
HSCEMD11P00207	GANS & PUGH ASSOCIATES, INC.	BREAKWIRE TRACKING SYSTEMS NEEDED FOR USE IN COVERT INVESTIGATIONS	70540	\$4,220.00	\$4,220.00	8/24/2011	2/29/2012	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION PROPRIETARY TRACKING EQUIPMENT ONLY PROVIDED BY ONE SOURCE

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Fail and Open Competition
HSCEMD11P00208	COBHAM TRACKING & LOCATING, LTD	5 STR20 CDMA TRACKING DEVICES FOR SAC OFFICE	70540	\$21,260.00	\$21,260.00	8/24/2011	9/25/2011	SIMPLIFIED ACQUISITION PROCEDURES NON-COMPETITION; ONLY 1 SUPPLIER PROVIDES THIS UNIT WHICH MUST BE COMPATIBLE WITH EXISTING SYSTEM
HSCEMD11P00211	ADVANCED MARKETING & SALES ASSOCIATES	REQUIRED FOR ELECTRONIC UNDERCOVER SURVEILLANCE OPERATIONS	70540	\$99,960.00	\$99,960.00	8/24/2011	12/1/2011	SPECIALIZED COVERT EQUIPMENT AVAILABLE FROM ONLY 1 MANUFACTURER/SUPPLIER
HSCEMD11P00212	DATONG ELECTRONICS, INC.	TRACKERSREQUIRED FOR ELECTRONIC SURVEILLANCE OPERATIONS	70540	\$61,250.00	\$61,250.00	8/24/2011	10/8/2011	PROPRIETARY GPS TRACKERS, MUST CONFORM WITH EXISTING SYSTEM
HSCEMD11P00213	ADVANCED MARKETING & SALES ASSOCIATES	PHOTO EQUIPMENT FOR COVERT OPS	70540	\$3,670.00	\$3,670.00	8/25/2011	9/24/2011	PROPRIETARY COVERT PHOTO EQUIPMENT
HSCEMD11P00217	ADVANCED MARKETING & SALES ASSOCIATES	AUDIO EQUIPMENT	70540	\$74,520.00	\$74,520.00	8/25/2011	9/25/2011	PROPRIETARY COVERT AUDIO EQUIPMENT
HSCEMD11P00218	DTC COMMUNICATIONS, INC.	TRACKING UNITS - (CDMA) POLE CAMERA NEEDED TO CONDUCT COVERT SURVEILLANCE OF TARGETS	70540	\$57,782.00	\$57,782.00	8/29/2011	10/15/2011	PROPRIETARY TRACKING EQUIPMENT
HSCEMD11P00220	CRIME POINT, INC.		70540	\$4,840.00	\$4,840.00	8/25/2011	10/25/2011	PROPRIETARY-ONLY PRODUCED/SOLD BY ONE VENDOR
HSCEMD11P00221	ADVANCED MARKETING & SALES ASSOCIATES	AUDIO EQUIPMENT	70540	\$7,560.00	\$7,560.00	8/26/2011	9/25/2011	PROPRIETARY-ONLY PRODUCED/SOLD BY ONE VENDOR

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00222	GANS & PUGH ASSOCIATES, INC.	ELECTRONIC SURVEILLANCE EQUIPMENT-TRACKER	70540	\$97,600.00	\$97,600.00	8/26/2011	9/30/2011	PROPRIETARY AND MUST BE COMPATIBLE WITH EXISTING SYSTEM
HSCEMD11P00223	ADVANCED MARKETING & SALES ASSOCIATES	SURVEILLANCE EQUIP	70540	\$3,670.00	\$3,670.00	8/26/2011	9/25/2011	PROPRIETARY-ONLY 1 PRODUCER/SUPPLIER
HSCEMD11P00226	BRIMTEK, INC.	SURVEILLANCE EQUIP	70540	\$89,990.50	\$89,990.50	8/26/2011	9/30/2011	MUST BE COMPATIBLE WITH EXISTING SYSTEM
HSCEMD11P00227	B.E. MEYERS & CO., INC.	LONG RANGE NIGHT VISION SCOPE WITH CAMCORDER KIT	70540	\$15,312.36	\$15,312.36	9/2/2011	12/2/2011	PROPRIETARY-MUST CONFORM W/ EXISTING VIDEO SYSTEM
HSCEMD11P00230	DTC COMMUNICATIONS, INC.	COVERT ELECTRONIC SURVEILLANCE EQUIPMENT	70540	\$99,939.76	\$99,939.76	8/29/2011	10/29/2011	PROPRIETARY-ONLY 1 PRODUCER/SUPPLIER
HSCEMD11P00236	FEDERAL PRISON INDUSTRIES, INC.	TO REPLACE BROKEN FILE CABINETS	70540	\$3,231.00	\$3,231.00	9/1/2011	11/1/2011	SOLE SOURCE BY STATUTE; UNICOR
HSCEMD11P00240	DTC COMMUNICATIONS, INC.	TRACKING EQUIPMENT	70540	\$7,340.00	\$7,340.00	9/6/2011	10/5/2011	PROPRIETARY-ONLY 1 SOURCE
HSCEMD11P00241	SAUL MINEROFF ELECTRONICS, INC.	GPS UNITS ARE NEEDED TO CONDUCT COVERT INVESTIGATIONS	70540	\$3,900.00	\$3,900.00	9/3/2011	9/30/2011	ONLY ONE MANUFACTURER PROVIDES SPECIALIZED STINGRAY II TRAINING
HSCEMD11P00245	HARRIS CORP.	SPECIALIZED TRAINING FOR STINGRAY II EQUIPMENT	70540	\$16,000.00	\$16,000.00	9/7/2011	12/31/2011	PROPRIETARY-ONLY 1 MANUFACTURER
HSCEMD11P00246	DATONG ELECTRONICS, INC.	GPS TRACKERS	70540	\$29,250.00	\$29,250.00	9/7/2011	11/1/2011	PROPRIETARY - MUST BE COMPATIBLE WITH EXISTING SYSTEM
HSCEMD11P00247	SYNDETIX, INC.	C-HEATR TRACKER AND COMPONENTS	70540	\$70,722.00	\$70,722.00	9/7/2011	1/8/2012	

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00249	FEENEY WIRELESS, LLC	MINI-VARACAM COVERT SURVEILLANCE SYSTEM	70540	\$99,995.00	\$99,995.00	9/8/2011	10/9/2011	PROPRIETARY - ONLY) MANUFACTURER/SUPP LPR
HSCEMD11P00253	EASTCOR ENGINEERING, LLC	SDR-T SATELLITE TRACKER	70540	\$99,992.10	\$99,992.10	9/9/2011	10/10/2011	PROPRIETARY - CUSTOM DESIGN
HSCEMD11P00256	B.E. MEYERS & CO, INC	ADD EQUIPMENT TO EXISTING P.O. HSCEMD-11-P-00134 SURVEILLANCE KITS-LONG RANGE	70540	\$9,431.16	\$9,431.16	9/9/2011	12/1/2011	ADDITIONAL EQUIPMENT FOR EXISTING ORDER, PROPRIETARY-COMPATIBLE W/EXISTING SYSTEM
HSCEMD11P00257	FEENEY WIRELESS, LLC	GX400-440 EVD0 MODEMS, UPGRADES AND DEVICES	70540	\$124,214.00	\$124,214.00	9/12/2011	10/13/2011	PROPRIETARY-MUST CONFORM W/CURRENT SURVEILLANCE SYSTEM
HSCEMD11P00258	FEENEY WIRELESS, LLC	COMMUNICATIONS EQUIPMENT	70540	\$8,530.00	\$8,530.00	9/13/2011	11/13/2011	ONLY ONE SOURCE CAPABLE OF WORKING WITH EXISTING EQUIPMENT
HSCEMD11P00260	CRIME POINT, INC	COMMUNICATIONS EQUIPMENT	70540	\$9,680.00	\$9,680.00	9/12/2011	10/12/2011	ONLY ONE SOURCE CAPABLE OF WORKING WITH EXISTING EQUIPMENT
HSCEMD11P00261	VIGILANT VIDEO, INC.	MOBILE LPR READER	70540	\$20,500.00	\$20,500.00	9/13/2011	10/12/2011	ONLY ONE SOURCE - VIGILANT VIDEO DATABASE HOLDS 360 MILLION LICENSE PLATE DATA RECORDS ESSENTIAL FOR CASH BULK SMUGGLING, NO OTHER COMPARABLE SOURCE IN THE MARKET

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCMD11P00262	BRIMTEK, INC.	PURCHASE OF THREE REMOTE ACTIVATED TELEPHONE KITS FOR USE BY THE SAC SAN JUAN TECHNICAL ENFORCEMENT OFFICERS FOR USE DURING OPERATIONS	70540	\$8,985.00	\$8,985.00	9/13/2011	10/13/2011	ONLY ONE SOURCE - GPS TRACKERS ARE PROPRIETARY AND DESIGNED TO WORK WITH EXISTING EQUIPMENT AT ICE
HSCMD11P00263	KEYW CORP., THE	SURVEILLANCE EQUIPMENT	70540	\$97,500.00	\$97,500.00	9/13/2011	11/1/2011	PASSIVE RECEIVER; ONLY SOURCE THAT WORKS WITH EXISTING EQUIPMENT, ONLY ONE SOURCE, CAMERAFILAGE, COVERT CAMERA GRAPHICS CUSTOM DESIGNED TO MEET OUR SPECS, NOT AVAILABLE FROM ANY OTHER MANUFACTURER.
HSCMD11P00264	IMAGING SCIENCES, LLC	SURVEILLANCE EQUIPMENT	70540	\$15,605.00	\$15,605.00	9/13/2011	11/15/2011	ONLY ONE SOURCE - EQUIPMENT IS PROPRIETARY AND THE ONLY KNOWN SYSTEM OF ITS TYPE ON THE MARKET; COVERT SURVEILLANCE EQUIPMENT
HSCMD11P00266	DIGITAL STRATEGIES, INC.	TO UPGRADE SRT'S VEHICLES	70540	\$27,407.00	\$27,407.00	9/19/2011	12/30/2011	

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00267	HARRIS CORP	THIS EQUIPMENT IS NEEDED TO BE ABLE TO USE THE PREVIOUSLY ACQUIRED HARRIS STINGRAY SYSTEM IN VEHICLES THAT DO NOT HAVE THE NECESSARY ELECTRICAL CAPACITY NEEDED TO USE THE STINGRAY SYSTEM PARKING REQUIREMENT FOR ICE HSI AT THE LUIS MUNOZ MARIN INTERNATIONAL AIRPORT	70540	\$12,300.00	\$12,300.00	9/13/2011	1/13/2012	ONLY ONE SOURCE - THE GPS TRACKERS ARE PROPRIETARY AND DESIGNED TO WORK WITH EXISTING EQUIPMENT
HSCEMD11P00268	AUTORIDAD DE LOS PUERTOS		70540	\$7,200.00	\$7,200.00	9/14/2011	3/31/2012	ONLY ONE SOURCE FOR PARKING IN THE AREA
HSCEMD11P00269	DTC COMMUNICATIONS, INC.		70540	\$10,630.00	\$10,630.00	9/14/2011	11/13/2011	ONLY ONE SOURCE - THE GPS TRACKERS ARE PROPRIETARY AND DESIGNED TO WORK WITH EXISTING EQUIPMENT
HSCEMD11P00270	DIGITAL INTELLIGENCE, INC.	FORENSIC COMPUTER EQUIPMENT	70540	\$8,674.00	\$8,674.00	9/14/2011	10/12/2011	ONLY ONE SOURCE AVAILABLE FOR THE FRED (FORENSIC RECOVERY OF EVIDENCE DEVICE) COMPUTERS REQUIRED
HSCEMD11P00273	SUPREME SECURITY SYSTEMS, INC.	UPGRADE SECURITY SYSTEM	70540	\$24,680.00	\$24,680.00	9/16/2011	9/14/2012	ONLY ONE SOURCE - VENDOR IS THE ONLY COMPANY CAPABLE OF UPGRADING ALARM SYSTEM ALREADY IN PLACE

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD11P00275	NAL RESEARCH CORP.	SURVEILLANCE OPERATIONS TRACKING DEVICES	70540	\$99,300.00	\$99,300.00	9/15/2011	12/15/2011	ONLY ONE SOURCE - UNIQUENESS OF EQUIPMENT
HSCEMD11P00277	KEL-TECH PLASTICS, INC.	SUPER SURPLUS FUNDED POLE CAMERAS WITH MODEMS	70540	\$12,896.00	\$12,896.00	9/20/2011	10/20/2011	ONLY SOURCE - CAMERAS ARE PART OF A COVER SURVEILLANCE SYSTEM NOT SUITABLE FOR FULL AND OPEN COMPETITION
HSCEMD11P00281	FEDERAL PRISON INDUSTRIES, INC.	OFFICE FURNITURE	70540	\$5,510.70	\$5,510.70	9/20/2011	10/30/2011	UNICOR IS A MANDATORY SOURCE OF SUPPLY.
HSCEMD11P00285	SINCLAIR TECHNOLOGIES, INC.	TELECOMMUNICATIONS EQUIPMENT	70540	\$5,187.00	\$5,187.00	9/22/2011	10/20/2011	ONLY ONE SOURCE - DUE TO THE PROPRIETARY AND UNIQUE NATURE OF THE MULTI-COUPERS
HSCEMD11P00288	MOBIL TECHNOLOGY, INC.	NEW MOBILE SATELLITE TERMINAL POLE CAMERA BEING PURCHASED IN SUPPORT OF OPERATION MEXICAN MAFIA, FUNDED BY ASSET	70540	\$23,293.00	\$23,293.00	9/22/2011	11/6/2011	ONLY ONE SOURCE - REQUIRED SATELLITE IS COMPATIBLE WITH THE CURRENT SYSTEM AND ANTENNAS USED BY ICE
HSCEMD11P00290	CRIME POINT, INC.		70540	\$8,629.00	\$8,629.00	9/23/2011	10/23/2011	ONLY ONE SOURCE - CAMERA DESIGNED TO WORK WITH EXISTING EQUIPMENT

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
		FORFEITURE						
HSCEMD11P00291	COXCOM, INC.	REQUIRED FOR BACKUP INTERNET SERVICE TO MAINTAIN CONTINUITY OF OPERATIONS TO SUPPORT ICE INVESTIGATIONS	70540	\$9,171.50	\$9,171.50	9/27/2011	12/27/2011	ONLY ONE SOURCE WILL THE BACK UP INTERNET AND CABLE SERVICES FOR TECHOPS FACILITY
HSCEMD11P00297	ALERT HOLDINGS GROUP, INC.	ACCESS CONTROL SYSTEM FUNDS FOR FERRY TOLLS FOR ICE AGENTS TO CONDUCT INVESTIGATIONS ACROSS THE PUGET SOUND	70540	\$14,255.00	\$14,255.00	9/27/2011	11/26/2011	ONLY ONE SOURCE APPROVED TO INSTALL AN ACCESS CONTROL SYSTEM IN THE FACILITY
HSCEMD12P00001	TRANSPORTATION, WASHINGTON STATE DEPARTMENT OF		70540	\$2,400.00	\$2,400.00	10/1/2011	9/30/2012	SOLE SOURCE - WASHINGTON STATE COLLECTS FUNDING FOR FERRY TOLLS ONLY SOURCE. SHERIFFS DEPARTMENT IS THE ONLY SOURCE IN THE AREA OF OPERATION THAT CAN PROVIDE A SHOOTING RANGE FOR THE AGENTS
HSCEMD12P00002	COUNTY OF VENTURA	CONTINUATION OF SHOOTING RANGE SERVICE AT VENTURA COUNTY SHERIFFS DEPARTMENT FOR FY 2012	70540	\$3,600.00	\$3,600.00	6/18/2011	9/30/2012	ONLY SOURCE; PRADO SHOOTING RANGE IS THE ONLY SOURCE IN THE AREA OF OPERATION THAT CAN PROVIDE A SHOOTING
HSCEMD12P00004	PRADO FAMILY SHOOTING RANGE	CONTINUATION OF SHOOTING RANGE SERVICE	70540	\$25,000.00	\$25,000.00	6/30/2011	9/30/2012	

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition RANGE FOR THE AGENTS
HSCEMD12P00005	SUPREME SECURITY SYSTEMS, INC.	ALARM SYSTEM MONITORING SERVICE;	70540	\$6,857.00	\$6,857.00	7/26/2011	6/30/2016	SOLE SOURCE - CAN ONLY USE EXISTING MONITORING SERVICE ONLY SOURCE.
HSCEMD12P00006	SEATTLE POLICE ATHLETIC ASSOCIATION	ANNUAL CERTIFICATION, QUALIFICATION AND FIREARMS TRAINING FOR SAC SEATTLE'S SPECIAL AGENTS	70540	\$8,115.00	\$8,115.00	7/7/2011	9/30/2012	SEATTLE POLICE DEPARTMENT IS THE ONLY SOURCE IN THE AREA OF OPERATION THAT CAN PROVIDE A SHOOTING RANGE FOR THE AGENTS
HSCEMD12P00008	COUNTY OF VENTURA	RECURRING CLETS SERVICES FOR FY 2012	70540	\$9,000.00	\$9,000.00	7/25/2011	9/30/2011	THE COUNTY OF VENTURE SHERIFFS OFFICE CLETS SYSTEM IS AN EXCLUSIVE AND SOLE SOURCE THAT IS REQUIRED BY INV TO ACCESS LAW ENFORCEMENT INFO
HSCEMD12P00010	HILL SBOROUGH, COUNTY OF	RENTAL OF SHOOTING RANGE	70540	\$3,645.00	\$3,645.00	8/15/2011	6/30/2016	ONLY SHOOTING RANGE IN CLOSE PROXIMITY THAT MEETS THE SECURITY REQUIREMENTS AND THE ABILITY TO USE ADVANCED SHOOTING TECHNIQUES REQUIRED BY LAW ENFORCEMENT

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMD12P00024	AMPSCO SYSTEM PARKING	ADDITIONAL SIX STALLS REQUIRED FOR AGENTS AND TASK FORCE EMPLOYEES TO CONDUCT SUSPECT REAL ESTATE CHECKS, ETC. AT THE HONOLULU INTERNATIONAL AIRPORT	70540	\$3,960.00	\$3,960.00	2/1/2011	1/31/2013	ONLY SOURCE FOR THE ADDITIONAL PARKING STALLS WAS THE PARKING AREA
HSCEMD12P00042	PRECISION DISCOVERY, LLC	IT AND TELECOM- OTHER IT AND TELECOMMUNICATI ONS	70540	\$5,400.00	\$5,400.00	2/13/2012	2/17/2012	ONLY ONE SOURCE
HSCEMR12P00004	AUDIO PAINT	SUPPORT- PROFESSIONAL EXPERT WITNESS	70540	\$8,525.00	\$8,525.00	2/24/2012	4/3/2012	ONLY ONE SOURCE
HSCEMR12P00005	VERITEX/NEW YORK REPORTING COMPANY, LLC	SUPPORT- ADMINISTRATIVE COURT REPORTING	70540	\$4,237.00	\$8,474.00	2/22/2012	8/6/2012	ONLY ONE SOURCE
HSCEMR12P00006	WICKLANDER ZULAWSKI AND ASSOCIATES, INC	EDUCATION/TRAINING- TRAINING/ CURRICULUM DEVELOPMENT	70540	\$6,000.00	\$6,000.00	2/28/2012	3/2/2012	ONLY ONE SOURCE
HSCEMS12C00001	COMPUTER SCIENCES CORP.	MAINT/REPAIR/REBUILD OF EQUIPMENT- ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS	70540	\$7,092,828.00	\$14,185,656.00	1/16/2012	1/15/2013	AUTHORIZED BY STATUTE
HSCEMS12C00002	ATLAS GROUP, LTD	SUPPORT- PROFESSIONAL PROGRAM MANAGEMENT/SUPPORT	70540	\$1,486,944.00	\$1,489,444.00	2/1/2012	1/31/2013	

Contract Number	Contractor	Purpose	Appropriation Code	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Reason Other Than Full and Open Competition
HSCEMS12P00011	OEHLER RESEARCH, INC	MISCELLANEOUS SPECIAL INDUSTRY MACHINERY	70540	\$4,840.00	\$4,840.00	1/31/2012	2/15/2012	ONLY ONE SOURCE
HSCEOP06C00016	LVN, INC	OPERATION OF GOVT SEWAGE & WASTE	70540	\$13,458.96	\$13,458.96	2/16/2012	2/16/2012	AUTHORIZED BY STATUTE
HSCEOP06C00016	LVN, INC	OPERATION OF GOVT SEWAGE & WASTE	70540	\$13,458.96	\$13,458.96	1/13/2012	1/13/2012	AUTHORIZED BY STATUTE

- 7. Question:** Please provide for the record a list of all contracts over \$1 million in total value executed by ICE in FY 2011. Organize by contractor, purpose, dollar award, full performance value, contract start date, contract end date, and contract type (e.g. firm-fixed price, etc.).

ANSWER: Please see the table below.

CONTRACT NUMBER "J" DENOTES GSA ORDER	CONTRACTOR	PURPOSE	DOLLAR AWARD	FULL PERFORMANCE VALUE	CONTRACT START DATE	CONTRACT END DATE	CONTRACT TYPE
HSCECR-11-F-00021	SPECTRUM SECURITY SERVICES, INC.	DETENTION OFFICER AND TRANSPORTATION SERVICE - SPECTRUM SECURITY SERVICES, INC.	\$4,246,329.90	\$98,928,103.82	04/01/2011	02/29/2016	FIRM FIXED PRICE
HSCECR-11-F-00022	CSI AVIATION SERVICES, INC.	CHARTER AIR SERVICES ORIGINATING OUT OF MESA, AZ	\$4,000,518.00	\$48,032,000.00	05/24/2011	04/01/2012	FIRM FIXED PRICE
HSCECR-11-F-00024	CSI AVIATION SERVICES, INC.	UNSCHEDULED AIR CHARTER SERVICES OPERATING OUT OF ALEXANDRIA, LA	\$2,403,937.00	\$28,531,800.00	06/01/2011	04/01/2012	FIRM FIXED PRICE
HSCECR-11-F-00025	CSI AVIATION SERVICES, INC.	CHARTER AIR SERVICES OPERATING OUT OF SAN ANTONIO, TX	\$2,100,667.00	\$24,406,690.00	06/01/2011	04/01/2012	FIRM FIXED PRICE
HSCECR-11-F-00032	CSI AVIATION SERVICES, INC.	CHARTER FLIGHT SERVICES - MEXICAN INTERIOR REPATRIATION PROGRAM	\$4,880,887.00	\$10,719,137.00	07/10/2011	09/28/2011	FIRM FIXED PRICE
HSCECR-11-F-00046	REED ELSEVIER, INC.	ACQUISITION OF CRIMINAL DATA SERVICES SUBSCRIPTIONS	\$2,742,300.00	\$2,742,300.00	09/01/2011	05/31/2012	FIRM FIXED PRICE
HSCECR-11-J-00001	BI, INC.	REIMBURSEMENT TO THE JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM	\$6,196,264.86	\$6,196,264.86	11/06/2010	11/05/2011	FIRM FIXED PRICE
HSCECR-11-X-00004	MARSHALS SERVICE, UNITED STATES	REIMBURSEMENT TO THE JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM	\$5,222,070.00	\$5,222,070.00	08/03/2011	09/30/2011	FIRM FIXED PRICE

HSCEDM-11-F-0009	THE GEO GROUP, INC.	TRANSPORTATION AND DETENTION SERVICES	\$2,767,080.78	\$2,767,080.78	10/26/2011	12/25/2011	FIRM FIXED PRICE
HSCEDM-11-F-IG086	LOS ANGELES, COUNTY OF	DETENTION SERVICES	\$4,497,570.00	\$4,497,570.00	11/01/2010	10/31/2011	FIRM FIXED PRICE
HSCEDM-11-F-IG100	ADELANTO, CITY OF	DETENTION SERVICES	\$1,933,000.00	\$1,933,000.00	08/29/2011	08/28/2012	FIRM FIXED PRICE
HSCEDM-11-F-IG108	ESSEX, COUNTY OF	DETENTION SERVICES	\$2,100,000.00	\$2,100,000.00	08/11/2011	11/30/2011	FIRM FIXED PRICE
HSCEDM-11-F-IG109	CORRECTIONS CORPORATION OF AMERICA	DETENTION SERVICES	\$2,780,822.07	\$2,780,822.07	07/01/2011	06/30/2012	FIRM FIXED PRICE
HSCEDM-11-F-IG112	ORANGE, COUNTY OF	DETENTION SERVICES	\$3,202,543.96	\$3,202,543.96	07/20/2011	07/19/2012	FIRM FIXED PRICE
HSCEDM-11-F-IG118	ELOY, CITY OF	DETENTION SERVICES	\$3,204,619.50	\$3,204,619.50	09/01/2011	08/31/2012	FIRM FIXED PRICE
HSCEDM-11-J-00023	CORRECTIONS CORPORATION OF AMERICA	DETENTION SERVICES	\$3,096,901.78	\$3,096,901.78	04/01/2011	06/30/2012	FIRM FIXED PRICE
HSCEDM-11-J-00038	ASSET PROTECTION AND SECURITY SERVICES, L.P.	FACILITIES SUPPORT SERVICES	\$2,827,203.64	\$2,827,203.64	07/01/2011	06/30/2012	FIRM FIXED PRICE

HSCEDM-11-J-00041	AHTNA TECHNICAL SERVICES, INC.	DETENTION AND GUARD SERVICES	\$3,095,019.75	\$3,095,019.75	06/01/2011	05/31/2012	FIRM FIXED PRICE
HSCEDM-11-J-00048	WABANA GROUP, LLC	ARMED GROUND TRANSPORTATION	\$1,063,704.00	\$1,063,704.00	09/19/2011	09/18/2016	FIRM FIXED PRICE
HSCEDM-11-J-00054	GEO GROUP, INC., THE	DETENTION SERVICES	\$1,944,382.71	\$46,331,387.94	09/16/2011	09/15/2013	FIRM FIXED PRICE
HSCEDM-11-F-00031	SYSTEMS RESEARCH AND APPLICATIONS CORPORATION	PROGRAM MANAGEMENT SUPPORT SERVICES To CTCEU	\$1,879,230.00	\$1,879,230.00	07/01/2011	03/31/2012	FIRM FIXED PRICE
HSCEDM-11-F-00069	KNIGHT POINT SYSTEMS, LLC	ADMINISTRATIVE SUPPORT SERVICES FOR THE STUDENT AND EXCHANGE VISITOR PROGRAM	\$4,417,417.20	\$23,800,158.29	09/22/2011	08/21/2016	FIRM FIXED PRICE
HSCEDM-11-F-00191	RIMAGE CORPORATION	VIDEO RECORDING AND REPRODUCING EQUIPMENT	\$2,360,200.00	\$2,360,200.00	09/28/2011	11/01/2011	FIRM FIXED PRICE
HSCEDM-11-F-00193	SPECIALTY VEHICLE SOLUTIONS, LLC	SURVILLANCE VEHICLES MANAGEMENT SUPPORT	\$1,071,789.00	\$1,071,789.00	09/28/2011	03/01/2012	FIRM FIXED PRICE
HSCEDM-11-F-AF001	FORFEITURE SUPPORT ASSOCIATES, LLC	SERVICES FOR ICE, HOMELAND INVESTIGATIONS ASSET FORFEITURE PROGRAM	\$1,679,876.68	\$14,718,890.12	10/01/2011	09/30/2012	FIRM FIXED PRICE

HSCEMD-11-J-00018	GRANT THORNTON, LLP	REQUIREMENT FOR MICROSITE DEVELOPMENT	\$2,639,412.64	\$2,639,412.64	04/25/2011	04/24/2012	TIME AND MATERIALS
HSCEMD-11-J-00076	COMPREHENSIVE HEALTH SERVICES, INC.	MEDICAL SERVICES	\$1,531,556.05	\$1,531,556.05	07/20/2011	03/29/2012	FIRM FIXED PRICE
HSCEMD-11-J-00187	ALL POINTS LOGISTICS, INC.	PORTABLE/MOBILE RADIOS AND ACCESSORIES	\$4,518,368.30	\$4,518,368.30	10/27/2011	11/01/2011	FIRM FIXED PRICE
HSCEMD-11-J-00196	GRANT THORNTON, LLP	ADMINISTRATIVE SUPPORT SERVICES FOR THE STUDENT AND EXCHANGE VISITOR PROGRAM	\$2,376,360.00	\$2,376,360.00	09/29/2011	09/28/2012	FIRM FIXED PRICE
HSCEMD-11-J-00202	SCALETTA MOLONEY ARMORING CORPORATION	SPECIFICATIONS- REQUEST ARMORED VEHICLE SUPPORT FOR VARIOUS DHS LOCATIONS	\$4,380,400.00	\$4,380,400.00	09/30/2011	09/29/2016	FIRM FIXED PRICE
HSCEMD-11-P-00114	COMPETITIVE INNOVATIONS, LLC	ICE REQUIREMENT FOR CONTRACTOR SUPPORT	\$1,574,600.00	\$3,124,200.00	08/17/2011	08/16/2013	TIME AND MATERIALS
HSCEMD-11-P-00196	HARRIS CORPORATION	RADIO AND TELEVISION BROADCASTING AND WIRELESS COMMUNICATIONS EQUIPMENT	\$1,512,775.00	\$1,512,775.00	09/06/2011	03/22/2012	FIRM FIXED PRICE
HSCEMD-11-P-00276	MCMANIS ASSOCIATES, INC.	ICE REQUIREMENT FOR CONTRACTOR SUPPORT	\$1,545,209.60	\$3,134,411.20	09/27/2011	09/26/2013	LABOR HOURS

HSCEMD-11-X-00006	DEFENSE EDUCATION ACTIVITY, DEPARTMENT OF	SCHOOL TUITION	\$1,494,936.00	\$1,494,936.00	08/12/2011	06/30/2016	LABOR HOURS
HSCEMD-11-X-00007	DRUG ENFORCEMENT ADMINISTRATION	AGREEMENT BETWEEN ICE AND DRUG ENFORCEMENT ADMINISTRATION	\$2,000,000.00	\$2,000,000.00	10/01/2010	09/30/2011	FIRM FIXED PRICE
HSCEMR-11-X-AC011	GSA, HEARTLAND FINANCE CENTER 6BC	HOMELAND SECURITY INVESTIGATIONS VEHICLE PURCHASE OF FORD, GM, AND CHRYSLER MODELS	\$2,976,000.24	\$2,976,000.24	08/29/2011	11/29/2011	FIRM FIXED PRICE
HSCEMR-11-X-AC012	GSA, HEARTLAND FINANCE CENTER 6BC	VEHICLE PURCHASE IN SUPPORT OF ICE OFFICE OF INTELLIGENCE	\$1,116,022.73	\$1,116,022.73	08/31/2011	12/02/2011	FIRM FIXED PRICE
HSCEMR-11-X-AC025	GSA, HEARTLAND FINANCE CENTER 6BC	HOMELAND SECURITY INVESTIGATIONS VEHICLE PURCHASE OF FORD, GM, AND CHRYSLER MODELS	\$1,292,134.41	\$1,292,134.41	08/31/2011	12/02/2011	FIRM FIXED PRICE
HSCEMR-11-X-AC026	GSA, HEARTLAND FINANCE CENTER 6BC	HOMELAND SECURITY INVESTIGATIONS VEHICLE PURCHASE OF FORD, GM AND CHRYSLER MODELS	\$1,199,240.67	\$1,199,240.67	09/01/2011	12/02/2011	FIRM FIXED PRICE
HSCEMR-11-X-AC029	GSA, HEARTLAND FINANCE CENTER 6BC	ENFORCEMENT AND REMOVAL OPERATIONS VEHICLES PURCHASE	\$2,944,994.36	\$2,944,994.36	09/30/2011	12/30/2011	FIRM FIXED PRICE
HSCEMS-11-C-00003	BUSINESS MANAGEMENT ASSOCIATES, INC.	HUMAN CAPITAL CONSULTING SERVICES - HUMAN CAPITAL SUPPORT	\$1,048,881.00	\$3,242,659.00	09/13/2011	09/12/2012	FIRM FIXED PRICE

HSCEMS-11-C-00004	CONSTELLATION, INC.	ADMINISTRATIVE MANAGEMENT AND GENERAL MANAGEMENT CONSULTING SERVICES - ACQUISITION AND GOVERNANCE	\$1,128,289.40	\$3,478,805.36	09/26/2011	09/25/2012	LABOR HOURS
HSCEMS-11-C-00005	SCIENCE APPLICATIONS INTERNATIONAL CORPORATION	WAREHOUSE SERVICES	\$1,118,417.86	\$1,118,417.86	09/29/2011	09/28/2012	FIRM FIXED PRICE
HSCEMS-11-F-00012	KADIX SYSTEMS, LLC	PROJECT MANAGEMENT OPERATIONS SUPPORT SERVICES	\$1,237,213.80	\$2,474,428.60	08/01/2011	02/29/2012	FIRM FIXED PRICE
HSCEMS-11-F-00017	NETSTAR-1 GOVERNMENT CONSULTING, INC.	PROGRAM MANAGEMENT SERVICE SUPPORT TO OFFICE OF THE CHIEF INFORMATION OFFICER	\$1,182,026.40	\$6,634,087.20	03/28/2011	03/30/2012	FIRM FIXED PRICE
HSCEMS-11-J-00011	ALLIANT TECHSYSTEMS, INC	AMMO PURCHASE	\$1,081,555.20	\$1,081,555.20	05/18/2011	07/01/2011	FIRM FIXED PRICE
HSCEMS-11-J-00012	FEDERAL CARTRIDGE COMPANY	AMMO PURCHASE	\$3,487,503.12	\$3,487,503.12	09/24/2008	09/30/2011	FIRM FIXED PRICE
HSCEMS-11-J-00046	MINE SAFETY APPLIANCES COMPANY	AMMO PURCHASE for HOMELAND SECURITY INVESTIGATIONS AND OFFICE OF PROFESSIONAL RESPONSIBILITY	\$3,391,278.40	\$3,391,278.40	08/03/2011	08/02/2012	FIRM FIXED PRICE
HSCEMS-11-J-00052	FEDERAL CARTRIDGE COMPANY	AMMO PURCHASE	\$1,140,900.00	\$1,140,900.00	08/11/2011	11/30/2011	FIRM FIXED PRICE

HSCMS-11-J-00053	FEDERAL CARTRIDGE COMPANY	AMMO PURCHASE	\$2,276,000.00	\$2,276,000.00	\$2,276,000.00	08/11/2011	02/28/2012	FIRM FIXED PRICE
HSCMS-11-J-00055	FEDERAL CARTRIDGE COMPANY	AMMO PURCHASE	\$3,063,772.86	\$3,063,772.86	\$3,063,772.86	08/29/2011	01/15/2012	FIRM FIXED PRICE
HSCMS-11-J-00062	FEDERAL CARTRIDGE COMPANY	AMMO PURCHASE	\$2,276,000.00	\$2,276,000.00	\$2,276,000.00	09/28/2011	04/30/2012	FIRM FIXED PRICE
HSCMS-11-J-00064	FEDERAL CARTRIDGE COMPANY	AMMO PURCHASE	\$1,369,080.00	\$1,369,080.00	\$1,369,080.00	09/14/2011	02/28/2012	FIRM FIXED PRICE
HSCMS-11-J-00078	ALL POINTS LOGISTICS, INC.	TACTICAL COMMUNICATIONS EQUIPMENT, PARTS, AND ACCESSORIES	\$5,522,120.97	\$6,097,879.41	\$6,097,879.41	10/14/2011	3/10/2012	FIRM FIXED PRICE
HSCMS-11-J-00080	ALL POINTS LOGISTICS, INC.	UPGRADE / MODERNIZATION - EQUIPMENT AND SERVICES	\$6,172,000.41	\$6,172,000.41	\$6,172,000.41	09/28/2011	03/28/2014	FIRM FIXED PRICE
HSCMS-11-J-00083	ALL POINTS LOGISTICS, INC.	ACCESSORIES MODULAR RADIOS AND INSTALLS	\$2,242,300.74	\$2,242,300.74	\$2,242,300.74	09/28/2011	04/27/2012	FIRM FIXED PRICE
HSCMS-11-J-00086	ALL POINTS LOGISTICS, INC.	PROJECT 25 LAND MOBILE RADIO NETWORK ZONE	\$3,148,859.09	\$3,148,859.09	\$3,148,859.09	09/29/2011	09/28/2012	FIRM FIXED PRICE
HSCMS-11-X-00003	DEFENSE LOGISTICS AGENCY	DESM - TECHNOLOGY SUPPORT/COOP SITE	\$1,143,025.00	\$2,183,825.00	\$2,183,825.00	05/05/2011	05/04/2012	FIRM FIXED PRICE

HSCETC-11-F-00001	DIGITAL MANAGEMENT, INC.	ACRIME SOFTWARE O&M SUPPORT SERVICES FOR OFFICE OF CHIEF OFFICER/SDD	\$1,329,669.32	\$7,108,694.91	09/01/2011	08/31/2016	FIRM FIXED PRICE
HSCETC-11-F-00006	INFOZEN, INC.	ENGINEERING SERVICES AND SUPPORT	\$4,100,000.00	\$89,912,839.34	09/06/2011	09/05/2016	FIRM FIXED PRICE
HSCETC-11-F-00008	RAYTHEON COMPANY	ICE TECS MODERNIZATION SOFTWARE DESIGN/DEVELOPMENT DATA CENTER	\$10,169,354.00	\$44,935,287.00	09/27/2011	09/26/2016	FIRM FIXED PRICE
HSCETC-11-F-00009	KNIGHT POINT SYSTEMS, LLC	MIGRATION SUPPORT SERVICES FOR OFFICE OF CHIEF INFORMATION OFFICER/ENGINEERING DEPARTMENT AT ICE	\$1,002,155.41	\$3,082,066.33	09/30/2011	09/29/2014	FIRM FIXED PRICE
HSCETC-11-F-00012	KNIGHT POINT SYSTEMS, LLC	DEVELOPMENT AND IMPLEMENTATION OF AN AUTOMATED MANAGEMENT SYSTEM	\$2,539,230.00	\$16,475,606.00	09/28/2011	09/27/2012	FIRM FIXED PRICE
HSCETC-11-F-00015	DYONYX, L.P.	ICE HEALTH SERVICE CORPS TECHNICAL SUPPORT SERVICES	\$3,083,457.00	\$7,374,516.68	09/30/2011	09/29/2013	TIME AND MATERIALS
HSCETC-11-J-00001	SCIENCE APPLICATIONS INTERNATIONAL CORPORATION	TECHNICAL AND PROGRAM MANAGEMENT SUPPORT SERVICES	\$2,832,017.00	\$17,362,082.00	01/01/2011	12/31/2011	COST PLUS FIXED FEE
HSCETC-11-J-00006	INTEGRITYONE PARTNERS, INC.	SHAREPOINT INTEGRATION AND SUPPORT SERVICES	\$1,656,191.46	\$1,656,191.46	06/01/2011	05/31/2016	

HSCETC-11-J-00016	QBASE-MCNEIL INTEGRATED SOLUTIONS	INFORMATION TECHNOLOGY FIELD OPERATIONS SUPPORT SERVICES	\$2,996,920.00	\$184,539,025.00	05/24/2011	05/23/2017	FIRM FIXED PRICE
HSCETC-11-J-00020	SCIENCE APPLICATIONS INTERNATIONAL CORPORATION	ADP AND TELECOMMUNICATIONS SVCS-COMPUTER FACILITIES MANAGEMENT	\$1,536,352.21	\$1,536,352.21	06/01/2011	12/31/2011	LABOR HOURS
HSCETC-11-J-00036	SAIC, INC.	IT SYSTEM SERVICES	\$2,492,831.43	\$18,750,308.31	09/30/2011	08/31/2012	LABOR HOURS
HSCETC-11-P-00010	JSI TELECOM, INC.	SOFTWARE MAINTENANCE PLAN FOR ICE TITLE III DIGITAL COLLECTION SYSTEM	\$1,437,000.00	\$4,919,200.00	07/20/2011	07/19/2012	FIRM FIXED PRICE
HSCETC-11-X-00003	DOJ JUSTICE MMANAGEMENT DIVISION	DEPT. OF JUSTICE DATA CENTER MIGRATION SERVICES AND OPERATION AND MAINTENANCE COSTS	\$6,616,819.00	\$6,616,819.00	04/11/2011	04/10/2012	FIRM FIXED PRICE
HSCETE-11-C-00001	PEN-LINK, LTD	PEN-LINK SOFTWARE SITE LICENSES	\$1,529,851.00	\$8,913,881.00	08/01/2011	06/30/2016	FIRM FIXED PRICE
HSCETE-11-F-00125	PALANTIR TECHNOLOGIES, INC.	PALANTIR SOFTWARE, SERVICE, AND SUPPORT FOR HOMELAND SECURITY INVESTIGATIONS PERSONNEL	\$5,936,000.00	\$5,936,000.00	09/14/2011	09/13/2012	FIRM FIXED PRICE
HSCETE-11-J-00029	SPRINT SPECTRUM, L.P.	SPRINT WIRELESS SERVICES	\$1,500,000.00	\$1,500,000.00	01/17/2011	04/16/2011	FIRM FIXED PRICE

HSCETE-11-J-00058	NET DIRECT SYSTEMS, LLC	COMPUTER REFRESH PROJECT - NEW BPA (FY10 FUNDS)	\$9,998,296.48	\$9,998,296.48	02/25/2011	02/24/2016	FIRM FIXED PRICE
HSCETE-11-J-00108	SPRINT SPECTRUM, L.P.	SPRINT WIRELESS SERVICES	\$1,425,274.98	\$1,425,274.98	04/17/2011	09/16/2011	FIRM FIXED PRICE
HSCETE-11-J-00148	DELL MARKETING, L.P	MICROSOFT ENTERPRISE LICENSE AGREEMENT	\$1,149,484.48	\$1,149,484.48	06/27/2009	06/26/2015	FIRM FIXED PRICE
HSCETE-11-J-00155	DELL MARKETING, L.P	MICROSOFT ENTERPRISE LICENSE AGREEMENT	\$1,314,286.74	\$1,314,286.74	06/30/2011	07/29/2011	FIRM FIXED PRICE
HSCETE-11-J-00310	SPRINT SPECTRUM, L.P.	SPRINT WIRELESS SERVICES BY HOMELAND SECURITY INVESTIGATIONS	\$3,120,098.58	\$3,120,098.58	07/17/2011	01/16/2012	FIRM FIXED PRICE

8. **Question:** Please provide for the record a list of all ICE contracts, grants, and other transactions where work is performed outside of the United States. Organize by contractor, purpose, dollar award, full performance value, contract start date, and contract end date.

ANSWER: U.S. Immigration and Customs Enforcement does not have any active contract vehicles for which work is performed outside of the United States.

Bonuses

9. **Question:** Please provide a table showing how much is requested in the FY 2013 budget for bonuses for ICE political employees, SES employees, and non-SES employees.

ANSWER: The table below shows bonus payments for political, senior executive service (SES), and non-SES employees of U.S. Immigration and Customs Enforcement (ICE) for fiscal year (FY) 2011 and projected maximum payments in FY 2012. While there is no specific request for bonuses in the FY 2013 budget, ICE will continue to follow the Office of Personnel Management released guidelines for FY 2012, dated June 10, 2011, limiting awards to 1 percent of a non-SES employee's salary or 5 percent of a SES employee's salary.

ICE Employees	FY 2011 Actual Bonuses	FY 2012 Projected Bonuses
Political	---	---
SES	\$624,199	\$612,875
Non-SES	\$22,583,101	\$16,726,844

10. **Question:** Please list all ICE SES bonuses provided in FY 2011 by position, office, and bonus amount.

ANSWER: The table below shows bonus payments for U.S. Immigration and Customs Enforcement senior executive service employees during fiscal year 2011:

Office	Title	Amount	Number of Employees
Office of the Chief Financial Officer (CFO)	Chief Financial Officer	\$17,751	1
	Deputy Chief Financial Officer	\$8,550	1
	Director, Office of Budget and Program Performance	\$7,574	1
	CFO Total	\$33,875	3
Office of the Chief Information Officer (CIO)	Chief Information Officer	\$17,970	1
	Deputy Chief Information Officer	\$7,770	1
	CIO Total	\$25,740	2
Enforcement and Removal Operations (ERO)	Assistant Director, Secure Communities and Enforcement	\$11,442	1
	Assistant Director, Removal	\$8,336	1
	Deputy Assistant Director, Removal	\$8,685	1
	Senior Advisor	\$3,600	1
	Advisor	\$1,000	1
	Medical Officer	\$1,000	1
	Executive Associate Director*	\$11,000	1
	Deputy Executive Associate Director, Enforcement and Removal Operations	\$17,451	1
	Principal Deputy Associate Director**	\$8,985	1
	Assistant Director, Field Operations	\$6,000	1
Executive Associate Director*	\$8,985	1	

Office	Title	Amount	Number of Employees
	Field Office Directors	\$35,751	5
	ERO Total	\$122,235	16
Homeland Security Investigations (HSI)	Assistant Director, Investigative Programs	\$12,579	1
	Deputy Assistant Director, National Security Investigations	\$8,416	1
	Deputy Assistant Director, Operations	\$10,000	1
	Deputy Assistant Director, Transnational Crimes	\$8,000	1
	Assistant Director, Operations	\$16,607	1
	Director, Intellectual Property Rights Center	\$5,000	1
	Assistant Director, Mission Support	\$16,158	1
	Deputy Associate Director, Investigations	\$5,000	1
	Director, Federal Export Enforcement Coordination Center	\$5,000	1
	Executive Associate Director	\$17,314	1
	Executive Director, Law Enforcement Information Sharing Service	\$8,321	1
	Special Agents in Charge	\$183,063	20
	Supervisory Criminal Investigators	\$16,175	2
	HSI Total	\$311,633	33
	HSI - Office of International Affairs (OIA)	Assistant Director, International Affairs*	\$3,250
Executive Deputy Assistant Director, International Affairs		\$3,500	1
Assistant Director, International Affairs*		\$5,900	1
Special Agent in Charge		\$8,067	1
HSI-OIA Total		\$20,717	4
Office of Acquisition Management (OAQ)	Director, Office of Procurement	\$8,748	1
	OAQ Total	\$8,748	1
Office of the Director (OD)	Executive Associate Director, Management and Administration	\$17,418	1
	Deputy Director	\$17,970	1
	Assistant Deputy Director	\$17,416	1
	OD Total	\$52,804	3
Office of Training and Development (OTD)	Assistant Director, Office of Training and Development	\$8,612	1
	OTD Total	\$8,612	1
Office of Policy (OP)	Assistant Director, Office of Policy	\$5,000	1
	OP Total	\$5,000	1
Office of Professional Responsibility (OPR)	Assistant Director, Inspection and Detention Oversight	\$10,692	1
	Director, Office of Professional Responsibility	\$8,643	1
	OPR Total	\$19,335	2
Office of the Principal Legal Advisor (OPLA)	Deputy Principal Legal Advisor, Management	\$4,000	1
	Deputy Principal Legal Advisor	\$11,500	1

Office	Title	Amount	Number of Employees
	OPLA Total	\$15,500	2
	Grand Total	\$624,199	68

*Position held by two different people during FY 2011.

**Position no longer exists.

11. Question: Please list by office and pay grade level the number of non-SES employees who received a bonus or quality step increase (QSI) in FY 2011, the total bonus/QSI expenditures for the particular office and pay grade, and the total number of employees in the office and pay grade

ANSWER: U.S. Immigration and Customs Enforcement's data on non-senior executive service employees who received a bonus or quality step increase (QSI) for fiscal year 2011 is included in the table below. Data was obtained from two sources: 1) The National Finance Center Payroll/Personnel System, relating to FY 2011 onboard and personnel actions for non-SES employees, and 2) ICE's Federal Financial Management System.

Unobligated Balances

12. Question: Please provide unobligated balances within ICE, by appropriation account, and when you anticipate they will be expended.

ANSWER: Below is a table of U.S. Immigration and Customs Enforcement's (ICE) unobligated balances. ICE is on track to fully execute fiscal year (FY) 2012 funding.

Appropriation	Account	Unobligated Balances as of January 31, 2012	Comment
Salaries and Expenses	70 X 0504	\$299,660	ICE continues to review prior year activity in this legacy account in order to eventually close out the appropriation account in either FY 2012 or FY 2013. The unobligated balance may change based on the analysis and adjustments being made.
Violent Crime Reduction Programs	70 X 8598	\$9,636	ICE continues to use the Violent Crime Fund account to support the needs of the Office of the ICE Director. ICE anticipates this account will be closed in either FY 2012 or FY 2013.
Salaries and Expenses	70 X 0540	\$12,494,814	The balance will be used for undercover operations, forced child labor investigations, and outreach activities. Some carryover is expected into the next fiscal year to ensure such operations can continue to occur.
Automation Mod	70 X 0543	\$22,702,383	The unobligated balance will be used for on-going IT projects. These

			funds will be obligated by the end of FY 12.
Construction	70 X 0545	\$2,177,768	The balance will be used to provide for maintenance and repairs at the ICE-owned service processing centers and other facilities. This money will be spent on activities to remediate life, health, and safety issues as they arise.
Total:		\$37,684,261	

Detention Facilities

- 13. Question:** Please update and submit for the record the comprehensive list of facilities with which ICE has currently active detention contracts. Again include facility name, location/address, date of contract initiation, date of last contract expiration or renewal, minimum number of individual to be detained at the location, maximum number of detainees to be detained at the location; and contracted per-day cost per detained individual.

ANSWER: Attached find the comprehensive list of facilities with which ICE currently has active detention contracts. This list includes facility name, location/address, date of contract initiation, date of last contract expiration or renewal, minimum number of individuals to be detained at the location, maximum number of detainees to be detained at the location, and contracted per-day cost per detained individual. Please note that ICE's bed rate is composed of additional costs not shown in the attached spreadsheet (e.g., detainee health costs, ICE overhead, and other miscellaneous costs).

Removal and Return Statistics

- 14. Question:** Provide for the record a chart showing the number of criminal removals, the number of non-criminal removals, and the total removals ICE made in FY 2011 and in FY 2012 to date. Also include the number of convicted criminals and non-criminals who were permitted to voluntarily depart, voluntarily return, or withdraw their application for admission.

ANSWER:

Fiscal Year (FY) 2012 Year-to-Date (YTD) and FY 2011 Removals by Criminality

Criminality	FY 2012 YTD Removals	FY 2011 Removals
Criminal	85,922	216,698
Non-Criminal	81,610	180,208
Total	167,532	396,906

FY 2012 YTD and FY 2011 Voluntary Departures, Voluntary Returns, or Withdrawn Applications for Admission by Criminality

Case Status	FY 2012 YTD Removals		FY 2011 Removals	
	Criminal	Non-Criminal	Criminal	Non-Criminal
0-Withdrawal Permitted—1-275 Issued	22	582	58	973
3-Voluntary Departure Confirmed	3,594	6,016	9,044	14,799
9-Voluntary Return Witnessed	4,743	11,643	17,737	35,218
All Other Removals	77,563	63,369	189,859	129,218
Total	85,922	81,610	216,698	180,208

FY 2012 IIDS v. 1.10 data as of March 19, 2012, as provided by the Statistical Tracking Unit. FY 2011 data is historical and remains static. Removals include Returns. Returns include Voluntary Returns, Voluntary Departures, and Withdrawals Under Docket Control.

Starting in FY 2009, ICE began to “lock” removal statistics on October 5 at the end of each FY and counted only the aliens whose removal or return was already confirmed. Aliens removed or returned in that FY but not confirmed until after October 5 were excluded from the locked data and thus from ICE statistics. To ensure an accurate and complete representation of all removals and returns, ICE will include the removals and returns confirmed after October 5 into the next FY.

FY Data Lag/Case Closure Lag is defined as the physical removal of an alien occurring in a given month; however, the case is not closed in EARM until a subsequent FY after the data is locked. Because the data from the previous FY is locked, the removal is recorded in the month the case was closed and reported in the next FY Removals. This may result in a higher number of recorded removals in an FY than actual departures.

- 15. Question:** Please provide statistics on all identifications, arrests, removal proceedings, and removals and returns under the Criminal Alien Program, Fugitive Operations Program, Secure Communities Program, 287(g), and other measures for FY 2011 and FY 2012 to date.

ANSWER:

Secure Communities

Secure Communities, through its use of the federal biometric information sharing capability known as IDENT/IAFIS interoperability, identified 348,958 alien biometric “matches” in fiscal year (FY) 2011 and 179,699 such biometric “matches” in year-to-date (YTD) FY 2012.

It is important to note that Secure Communities helps U.S. Immigration and Customs Enforcement (ICE) identify individuals of interest to ICE, but it is not an operational program. Encounters, arrests, and removals are made by ICE enforcement programs such as 287(g) and the Criminal Alien Program (CAP). Therefore, the following table shows the total number of IDENT/IAFIS submissions, subsequent alien matches, and removals/returns broken out by ICE removal priority. The removal/return data provided in this table reflects a subset of the CAP and 287(g) data that is also provided in response to this QFR.

	FY 2011	FY 2012 YTD** through March 16
IDENT/IAFIS Interoperability Submissions	6,919,917	3,918,762
Alien IDENT Matches*	348,958	179,699
Removals and Returns**:	79,870	34,637
<i>Convicted Criminal Total</i>	<i>59,455</i>	<i>25,247</i>

	FY 2011	FY 2012 YTD** through March 16
IDENT/IAFIS Interoperability Submissions	6,919,917	3,918,762
Criminal Level 1	20,753	9,694
Criminal Level 2	15,507	6,753
Criminal Level 3	23,195	8,800
<i>Non-Criminal Immigration Violators Total</i>	<i>20,415</i>	<i>9,390</i>
ICE Fugitives	2,398	1,061
Prior Removals/Returns	13,835	6,381
EWs, Visa Violators, Overstays	4,182	1,948
*YTD Removals were extracted on March 18, 2012, and represent data through March 16, 2012, because of the 2-day lag in the ICE system **Aliens are classified by level based on conviction information available in ICE systems L1-3 are level 1-3 convicted criminal aliens Removals include Returns Returns include Voluntary Returns, Voluntary Departures, and Withdrawals under Docket Control		

Criminal Alien Program

CAP encounters, arrests, removal proceedings, and removals/returns for FY 2011 and FY 2012 are reported below. Of note, CAP arrested 92,942 aliens through March 19, 2012, and arrested 221,122 total aliens in FY 2011. As a result of CAP arrests, 55,031 aliens were removed/returned in YTD FY 2012 and 138,971 total aliens were removed/returned in FY 2011.

Criminal Alien Program	
FY YTD 2012	
Total Encounters	286,450
Total Arrests	92,942
Total Removal Proceedings	109,006
Detained	12,048
Non-Detained	96,958
Total Removals	44,145
Total Returns	10,886
FY 2011	
Total Encounters	701,473
Total Arrests	221,122
Total Removal Proceedings	94,202
Detained	12,532
Non-Detained	81,670
Total Removals	106,951
Total Returns	32,020

Fugitive Operations

The National Fugitive Operations Program (NFOP) response to the above question is reported below. The NFOP made 15,794 arrests through March 16, 2012, and made a total of 40,102 arrests in FY 2011. The below chart shows the breakdown of arrests:

Fiscal Year	Fugitives			Non-Fugitives			Total Arrests
	Criminal	Non-Criminal	Total	Criminal	Non-Criminal	Total	
FY 2011	9,674	12,500	22,174	11,804	6,124	17,928	40,102
FY 2012*	3,710	5,083	8,793	4,572	2,429	7,001	15,794

*Through March 16, 2012

287(g)

The 287(g) program's response to the above question is reported below. Through March 28, 2012, 5,329 aliens have been removed through the 287(g) program, and in FY 2011 23,745 aliens were removed.

The below chart shows the breakdown of activity:

Fiscal Year	Processed for Removal**			Removals***			Total
	Criminal	Non-Criminal	Total	Criminal	Non-Criminal	Total	
FY 2011	31,292	8,049	39,341	17,462	6,283	23,745	63,086
FY 2012*	12,655	3,014	15,669	3,745	1,584	5,329	20,998

Source: The statistical information was gathered using the ENFORCE/ IIDS reporting tool.
* Through March 28, 2012.
** Processed for Removal are those individuals encountered by 287 (g) Officers in FY 2011, that have been placed in removal proceedings.
*** Removals are those individuals encountered by 287 (g) Officers in FY 2011, who have departed the United States and have an associated departure date in FY 2011.

Prosecutorial Discretion Data

16. Question: Please provide specific data on the number of prosecutorial discretion requests received from individuals in proceedings; number of times prosecutorial discretion was exercised by ICE agents and officers; and number of times frontline decisions were overturned upon secondary review.

ANSWER: The Department of Homeland Security (DHS) has been engaged in an ongoing review of thousands of cases currently on immigration court dockets. The goal of this review has been to speed the removal of criminal aliens from the United States. Low priority cases involving individuals who have no criminal records and pose no public safety concerns are being administratively closed. Aliens in proceedings may make a specific request for the exercise of prosecutorial discretion. However, U.S. Immigration and Customs Enforcement (ICE) attorneys conduct reviews of immigration cases for prosecutorial discretion as one of their daily functions in reviewing pending cases independent of any request from an alien or attorney representing an alien. ICE does not separately record the number of specific requests for the exercise of prosecutorial discretion from aliens or their attorneys. So far, the results of the review have been as follows:

Total Cases Reviewed

- As of March 5, 2012, ICE attorneys, with the assistance of other DHS attorneys, had reviewed 142,212 non-detained cases with approximately 13,175, or 9 percent, identified as provisionally amenable to the exercise of prosecutorial discretion pending the results of background checks.
- As of March 5, 2012, ICE attorneys, with the assistance of other DHS attorneys, had reviewed 23,259 detained cases with approximately 15, or less than 1 percent, identified as

provisionally amenable to the exercise of prosecutorial discretion pending the results of background checks.

- 17. Question:** The Secretary's advisory committee advocated that you set up review panels in certain jurisdictions to review ICE enforcement actions, particularly as it relates to individuals detained after being pulled over for traffic violations. Are you considering this option?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) has received the recommendations of the Secure Communities taskforce and is thoroughly evaluating each of the respective recommendations.

- 18. Question:** What impact would these panels have both on public safety and frontline staff morale?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) has received the recommendations put forth by the Secure Communities taskforce and is considering the impacts to both public safety and the morale of ICE's frontline staff in carefully evaluating each recommendation and determining the appropriate next steps.

Efficient Use of Resources

- 19. Question:** Please list each office within ICE, DHS, and other agencies that plays a role in defining, reviewing, and auditing detention standards, to include the responsibilities of each office in this process. How many have interactions with frontline officers and field-based managers?

ANSWER: There are a number of agencies within ICE and DHS that play a role in defining, reviewing, or auditing detention standards. ICE's Enforcement and Removal Operations (ERO) headquarter-based Detention Standards Compliance Unit (DSCU) is responsible for ensuring that facilities authorized to house ICE detainees comply with applicable detention standards. DSCU oversees ERO's annual inspections program and ensures that deficiencies identified during these inspections, as well as inspections conducted by the ICE offices listed below, are corrected and brought into compliance with the standards.

ERO field-based Detention Monitoring Unit (DMU) is responsible for on-site monitoring of conditions at ICE's largest detention facilities. These Detention Service Monitors conditions at 52 detention facilities and ensure compliance with detention standards and resolve issues as they are identified. Currently, DMU covers 84 percent of ICE's detained population, and efforts are underway to expand on-site monitoring to well over 90 percent of ICE's population.

ICE's Office of Professional Responsibility, Office of Detention Oversight (ODO), conducts compliance inspections at select detention facilities where detainees are housed in excess of 72 hours. ODO selects facilities to inspect based on a number of factors, including a review of annual inspections by ERO, previous noncompliance identified through prior ERO or ODO inspections, DSM findings and reports, and allegations reported to the DHS Office of Inspector General, DHS Office for Civil Rights and Civil Liberties, or the Joint Intake Center. These targeted inspections provide an independent review of compliance outside of the ERO annual inspections process.

DSCU, DMU and ODO routinely interact with frontline officers and field-based managers during their respective inspections. Frontline officers are considered an integral part of the inspection process; they can provide assistance during the onsite inspection and respond to questions during the inspection process, and also develop and review standard operating procedures at the facility. In addition, frontline officers work closely with the facilities to ensure compliance with the applicable standards.

Finally, many additional program offices, including ICE's Office of Detention Policy and Planning (ODPP), ERO's ICE Health Services Corp. (IHSC), and DHS' Office of Civil Rights and Civil Liberties (CRCL) play a major role in developing the standards. Frontline

officers and field managers also provide significant input and made very meaningful contributions to the new PBNDS 2011 detention standards.

20. Question: Please provide a list of all offices that actually go out and audit detention facilities, to include the number of audits and visits performed by each for FYs 2009, 2010, and 2011. Also include the number of case referrals generated and referred back to Enforcement and Removal Operations (ERO) for follow-up.

ANSWER: U.S. Immigration and Customs Enforcement (ICE) has three offices that handle detention audits and inspections.

The Office of Enforcement and Removal Operations (ERO) Detention Management Division (DMD) has contractors who review conditions of confinement in ICE facilities on an annual or biennial basis. The number of inspections, by fiscal year (FY), is indicated in the table below:

Inspections	FY 2011	FY 2010	FY 2009
		250	279

The ERO Detention Monitoring Unit (DMU) consists of a group of federal employees serving as on-site Detention Service Managers (DSM), who began monitoring facilities in April 2010. There are currently 42 DSMs responsible for 52 detention facilities, covering 84 percent of ICE's detained population. Below is the list of audits the ERO DMU has performed:

From April 2010–September 2010

- 4,100 daily walk-throughs were conducted at permanent DSM locations;
- 820 weekly audits were conducted at permanent DSM locations;
- 25 daily walk-throughs were conducted at roving DSM locations, and
- 55 weekly audits were conducted at roving DSM locations.

From October 2010–September 2011

- 9,840 daily walk-throughs were conducted at permanent DSM locations;
- 2,132 weekly audits were conducted at permanent DSM locations;
- 300 daily walk-throughs were conducted at roving DSM locations; and
- 132 weekly audits were conducted at roving DSM locations.

The ICE Office of Professional Responsibility, Office of Detention Oversight (ODO) conducts compliance inspections at selected detention facilities where detainees are accommodated for periods in excess of 72 hours. ODO selects facilities to inspect based on: annual inspections conducted by ERO, previous noncompliance identified through ODO inspections, DSM findings and reports, and allegations reported to the DHS Office of Inspector General or the ICE Joint Intake Center, among others. These inspections provide an independent review of compliance outside of the ERO annual inspections process.

In FY 2009, ODO inspected 33 facilities; in FY 2010, ODO inspected 49 facilities; and in FY 2011, ODO inspected 62 facilities. ODO provides its compliance inspection reports, recommendations, and identified best practices to ERO and ICE leadership. ERO determines what corrective actions are needed to bring the facility into compliance and what additional steps to take if a facility continues to fail to comply.

Question: Also include the number of case referrals generated and referred back to Enforcement and Removal Operations for follow-up.

ANSWER: ERO develops corrective action plans based on facility inspections. ERO initiates these plans, tracked internally as ERO cases, based on the ICE Office of Professional Responsibility's Office of Detention Oversight Compliance Inspections and ERO contractors' facility inspections. In FY 2011, ERO tracked and oversaw corrective action plans for deficiencies from more than 300 ODO and ERO contractor inspections. ERO field

offices that have contracted with these detention facilities for bed-space are tasked with following up on the corrective actions.

Alternatives to Detention

- 21. Question:** Please provide for the record a chart that shows the enrollment in ATD by length of time participants remain monitored by the program for FY 2011 enrollments and FY 2012 enrollments to date using the categories less than 3 months, 3-6 months, 6-12 months, 12-18 months, 18-24 months, and greater than 24 months.

ANSWER:

Alternatives to Detention (ATD) Termination by Fiscal Year (FY)

Length of Time in Program	FY 2010	FY 2011	FY 2012*
0-3 Months	2,139	2,147	1,040
3-6 Months	1,531	1,434	1,115
6-12 Months	1,905	2,828	1,706
12-18 Months	868	2,881	1,053
18-24 Months	765	1,278	1,096
Over 24 Months	927	1,715	1,318
Total	8,135	12,283	7,328
*FY 2012 Data to March 1, 2012			

- 22. Question:** Please provide the number of non-removable aliens newly enrolled in ATD after six months in custody, updating information provided last year.

ANSWER: The Immigration and Nationality Act § 241(a)(1)(A) states the Attorney General shall remove the alien within 90 days, which is referred to as the removal period. Under 8 C.F.R. § 241.4, U.S. Immigration and Customs Enforcement (ICE) may continue detention beyond the 90 days if it is determined the alien would pose a danger to the public or a risk of flight. According to the U.S. Supreme Court's decision in *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Secretary of the Department of Homeland Security (DHS) is not statutorily authorized to indefinitely detain aliens held in DHS's custody. The U.S. Supreme Court found that a period of detention of up to 6 months would be a presumptively reasonable period of time for DHS to accomplish its removal of an alien with an administratively final order of removal. The Secretary, with limited exceptions for especially dangerous individuals, may only detain aliens beyond the presumptively reasonable 6 months in cases for which there is a significant likelihood of removal in the reasonably foreseeable future. Under 8 C.F.R. § 241.13, ICE may continue detention after 180 days if it determines the alien is significantly likely to be removed in the reasonably foreseeable future.

This chart represents the estimated number of aliens subject to a final order of removal, as of April 4, 2012, who were enrolled in Alternatives to Detention in fiscal year (FY) 2011 and FY 2012 due to a determination that these aliens had no significant likelihood of removal in the reasonably foreseeable future.

Non-Significant Likelihood of Removal in the Foreseeable Future Enrollment			
FY 2011		FY 2012	
Atlanta	3	Bakersfield	3
Boise	8	Boise	1
Charleston	5	Charleston	3
Charlotte	12	Charlotte	2
Cleveland	11	Cleveland	4
Detroit, MI	8	Dallas	1
Houston	2	Detroit	2
Kansas City	1	Ft Smith	3
Los Angeles	3	Kansas City	2
New Orleans	8	Los Angeles	1
Newark	1	Miami	1

Orlando	1	New Orleans	3
Philadelphia	2	Oklahoma City	1
Portland	21	New York	1
Sacramento	175	Omaha	7
Salt Lake	2	Philadelphia	1
San Antonio	6	Sacramento	14
San Diego	27	San Antonio	5
San Fran	14	San Diego	1
Santa Ana	4	San Fran	10
Seattle	34	Total	66
St Louis	1		
Washington	1		
Wichita	1		
Total	351		

23. Question: Please provide a breakout and description of all Alternative to Detention (ATD) options, to include who would be appropriate ATD participants.

ANSWER: Alternatives to Detention (ATD) is a flight-risk mitigation tool that uses technology and case management to increase compliance with release conditions, and to facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their communities. ATD is composed of the Full Service (FS) component and the Technology Only (TO) component.

If an alien has been identified as being at least 18 years of age and not subject to mandatory detention, he/she may be evaluated for ATD participation. After evaluating a participant and the case circumstances, if a determination has been made that the individual has significant community ties, no criminal history, and a history of compliance with reporting requirements, and has not received a final order of removal, the individual may qualify for less restrictive reporting than a participant who has a final order of removal, a criminal history, insignificant community ties, or a history of non-compliance.

In the FS component, the supervision case specialist, a contractor of Behavioral Interventions, Inc., operating under the guidance of ICE's Office of Enforcement and Removal Operations (ERO), creates an individualized supervision plan with the participant during the orientation session. The supervision case specialist takes into account the participant's particular needs with regard to reporting requirements and referrals. The supervision case specialist also provides case management support that includes, but is not limited to, electronic assignment and monitoring by either a global positioning system (GPS) or voice verification telephonic reporting (TR), unannounced home visits, scheduled office visits, tracking through immigration proceedings, and community-based referrals. Individuals most suitable for enrollment in the FS component are those who require a higher level of monitoring based on a case-by-case risk assessment review that evaluates several factors, such as the individual's prior supervision history, past criminal history, community ties, likelihood of removal in the near future, and current stage in immigration court proceedings.

In the TO component, an ERO officer assigns the appropriate technology (GPS or TR) and performs all aspects of case management, which includes tracking the participant's case as it moves through immigration proceedings, resolving electronic monitoring alerts, and enforcing the removal orders. Individuals most suitable for the TO component are those who have demonstrated compliance, are not removable in the near future, and are generally considered lower risk based on a case-by-case risk assessment that evaluates several factors, such as the individual's prior supervision history, past criminal history, community ties, and current stage in immigration court proceedings.

24. Question: Please describe the methodology ICE is utilizing to decide what type of ATD to apply in a particular case

ANSWER: When considering an alien for enrollment in the Alternatives to Detention (ATD) program, a U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations officer makes an individual determination based on a case-by-case risk assessment review that evaluates several factors. These factors include, but are not limited to, the alien's prior supervision history, past criminal history, community ties, likelihood of removal in the near future, and current stage in immigration court proceedings. ICE is implementing a nationwide phased rollout of an automated solution called the Risk Classification Assessment (RCA) system, which is currently in the user acceptance testing phase conducted in Washington, D.C., with subject matter experts from the field. The RCA system is expected to begin deployment in late June to early July 2012. The RCA will bring a new level of consistency to the process of identifying and evaluating aliens who may be eligible for assignment to the ATD program. The RCA methodology classifies risk based on public safety and flight (absconding) factors, as well as recording an individual's special vulnerabilities, such as prior victimization or physical disability. The RCA system will then make recommendations concerning detention or release decisions and the appropriate level of custody or community supervision. If an ICE supervisor has objective information that he or she believes should be used to override the RCA recommendation, the supervisor must enter into the system an explanation for the override. An ICE officer may also submit to an ICE supervisor a recommendation that the RCA recommendation be overridden, which also requires a justification.

There are two components to the ATD program: Full Service (FS) and Technology Only (TO). Under FS supervision, the ATD officer refers a participant to one of the contractor's case specialists (CSs). During the orientation session, the CS creates an individualized supervision plan in conjunction with the participant—taking into account the participant's particular needs with regard to reporting requirements and referrals—and provides case-management support. Support services provided to the participant include office visits, home visits, referrals for medical or legal services, assistance in securing travel documents, translation services, local transit options and other transportation information, and court date reminders. The CS assigns the participant telephonic reporting or Global Positioning System (GPS) monitoring at the ATD officer's direction. Under TO monitoring, the ATD officer directly supervises the participant using contractor-provided software and equipment. The ATD officer will assign either GPS monitoring or telephonic reporting.

US-VISIT Overstay Resources

- 25. Question:** Under the current US-VISIT process, the analysis, matching, and identification of likely visa overstays is done systematically with the results being shared with the Department of State and CBP. If potential overstays do not meet ICE priorities for investigations, these cases can be addressed in future visa and admission decisions. The proposed transfer of the visa overstay analysis role to ICE, however, raises concerns as to whether or not this ICE will continue to support this critical analysis. What assurances can you provide that overstay analysis will be as robust as it is today?

ANSWER: Preventing unlawful immigration is one of the top priorities of the U.S. Department of Homeland Security (DHS). Transferring the overstay analysis work from US-VISIT to U.S. Immigration and Customs Enforcement (ICE) will allow ICE field operations to seamlessly coordinate efforts to identify and investigate potential overstays and to locate and remove aliens who have violated their lawful period of admission. Both U.S. Customs and Border Protection (CBP) and ICE have existing capabilities that can be leveraged to support the operational screening function while realizing efficiencies. Additionally, over the past year, CBP, US-VISIT, and ICE have invested in enhancing current capabilities to streamline their ability to exchange information and to increase efficiencies in identifying and resolving potential overstay leads.

ICE would continue to support overstay analysis, as it is a critical part of preventing and responding to immigration violations and supports information sharing initiatives. It is imperative that the U.S. Department of State (DOS), CBP, and U.S. Citizenship and Immigration Services (USCIS) are aware of previous violations, so that ICE does not have to investigate the same immigration violator repeatedly and so that those who overstay can be subject to administrative penalties, such as visa revocation. In addition, sharing of this information with the DOS, CBP, and USCIS is needed so that it may be considered in

admissions decisions and future applications for visas or other immigration benefits from those who have overstayed. By combining the resources of ICE and US-VISIT, it is anticipated that additional efficiencies will be gained by reducing the number of components conducting the same research, resulting in increased productivity.

- 26. Question:** What processes will you implement in order to ensure that these results will continue to be shared for action by other agencies?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) will continue to operate under the current agreements with the U.S. Department of State, U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Service to ensure consistency and continuity. The expected synergy between the U.S.-VISIT Overstay Analysis Unit and the current ICE Homeland Security Investigations, Counterterrorism & Criminal Exploitation Unit will lead to far more effective enforcement. This synergy will also enhance the data integrity of enforcement findings in the Arrival Departure Information System (ADIS). It is through information sharing in ADIS that other agencies, including the U.S. Department of State and CBP, confirm an individual's non-immigrant status. ICE also maintains a staff of National Program Managers to liaise with its government partners, keep abreast of current policy developments, and properly interpret information available in ICE enforcement systems.

- 27. Question:** While we continue to support efforts to address all national security concerns as a priority, the Department must be committed to reducing the overstay backlog and to prevent a similar recurrence of backlogs in the future. Will you continue to remain committed to this goal?

ANSWER: Currently, all overstay records are reviewed for national security and public safety concerns. DHS is also leveraging existing automated capabilities to conduct automated reviews of all overstays (both normal priority and high-priority). All of this is done on a recurrent basis. The Department remains committed to reviewing all overstay records for potential immigration enforcement action as well.

- 28. Question:** When will the backlog of "unvetted" overstay records be eliminated?

ANSWER: At the start of CY11, DHS had a backlog of "unreviewed overstays," comprised of system-identified overstay leads that did not meet criteria set by Immigrations and Customs Enforcement (ICE) for expedited high-priority review.

In May 2011, at the direction of Secretary Napolitano, DHS's Counter Terrorism Coordinator organized an effort to ensure that all overstays, regardless of priority, receive enhanced national security and public safety vetting by the National Counterterrorism Center (NCTC) and Customs and Border Protection (CBP). As part of Phase 1 of this effort, the Department reviewed a backlog of 1.6 million unvetted potential overstay records based on national security and public safety priorities.

The DHS "overstay initiative," begun in the spring of 2011 at the direction of the Secretary, reformed this effort, by leveraging capabilities within CBP's Automated Targeting System (ATS-P). DHS was able to conduct richer, more thorough vetting for national security and public safety concerns. This generated new leads for ICE, which previously would not have been uncovered.

Now, all overstay records are reviewed for national security and public safety concerns. DHS is also leveraging existing automated capabilities to conduct automated reviews of all overstays (both normal priority and high-priority). All of this is done on a recurrent basis.

US-VISIT provides additional manual review of normal priority overstay leads as resources allow, with expected efficiencies gained through the implementation of enhanced biographic exit, integration of the overstay review function into ICE, and other data improvements. As efficiencies are realized, resources will be freed up for more manual reviews of overstay records.

Visa Security Program

- 29. Question:** Please describe how you plan to use the additional funds provided in FY 2012 for the expansion of the Visa Security Program.

ANSWER: Provided separately (Law Enforcement Sensitive).

Intellectual Property Rights Enforcement

- 30. Question:** How do you plan to use the FY 2012 increase of \$4 million for IPR investigations?

ANSWER: In fiscal year (FY) 2012, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) received an increase of \$4 million for “enhancing investigations of anti-dumping/countervailing duty (AD/CVD) violations, intellectual property rights (IPR) investigations, and severe forms of human trafficking and smuggling activities.” In response to the conference report language, ICE is currently developing a plan for expenditure of these resources. Based on the draft spend plan required by the 2012 Appropriations Conference Report, ICE Domestic Investigations plans to allocate the enhancement as follows:

Use \$2 million for enhancing investigations of AD/CVD violations and IPR investigations, of which \$1.284 million will be spent as payroll for six new employees at the National IPR Coordination Center—four criminal investigators, one management and program analyst, and one intelligence research specialist. Additionally, \$716,000 will be used by the IPR Center to pay for revised IPR training at the Federal Law Enforcement Training Center as well as advanced training; a training development and an instructional systems (training) design specialist; travel and overtime for tactical enforcement operations and training initiatives; technical equipment (computers, training tools, tracking tools, etc.); and travel, fleet, and fuel costs pursuant to the IPR Center and these new efforts; and

Use \$2 million for enhancing investigations of severe forms of human trafficking and smuggling activities, of which \$1.786 million will be spent as payroll for 15 new employees—one criminal investigator, three victim witness coordinators within the Investigative Services Division at ICE Headquarters, and 11 victim witness coordinators to be placed at 10 different HSI-domestic field locations (two at HSI Chicago and one each at HSI Boston, Buffalo, Denver, Honolulu, New York, San Juan, Seattle, Tampa, and Washington, D.C.). Additionally, \$214,000 will be used for general expenses pursuant to adding these 15 new employees. The Investigative Services Division at ICE Headquarters will use a portion of the general expenses to pay for equipment and operational travel costs for the four new hires in the division to include purchase of mobile digital recording and management systems; training and travel costs for one new employee to complete the National Center for Credibility and Assessment’s Polygraph Examiner certification course; and additional travel, fleet, and fuel costs for forensic interviews and polygraph examinations to be conducted by the new hires.

- 31. Question:** What other resources are needed to support customs enforcement activities?

ANSWER: U S Immigration and Customs Enforcement supports the President’s budget and is requesting no additional resources at this time for customs enforcement activities.

- 32. Question:** Please provide a budget breakout for the National IPR Coordination Center for FY 2012 and requested for FY 2013. Also include in the response the number of Agents in the U.S. and abroad dedicated to IPR investigations, and the number of hours spent by Agents in FY 2011 and FY 2012 to date on IPR investigations.

ANSWER: The planned budget breakouts for payroll and general expenditures (GE) for the National Intellectual Property Rights (IPR) Coordination Center for fiscal year (FY) 2012 and FY 2013 are below:

IPR Center ¹	FY 2012	FY 2013 (Projected Spending)
Subtotal Payroll	\$7,529,653	\$7,529,653
GE - Travel	\$1,212,944	\$950,444
GE - Contracts/services	\$670,250	\$366,949
GE - Supplies	\$376,708	\$85,106
GE - Equipment	\$210,000	0
GE - Other	\$5,146	\$5,146
Subtotal GE	\$2,475,049	\$1,407,646
Total GE and Payroll	\$10,004,702	\$8,937,299

In FY 2011, U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) expended approximately 366,566 investigative hours on IPR enforcement investigations. In FY 2012, HSI expects to expend approximately 385,000 investigative hours on IPR enforcement investigations.

In FY 2012, it is expected that approximately 233 domestic agents and 6 international agents will be dedicated to IPR investigations. In the current fiscal year through March 31, 2012, HSI expended approximately 190,674 hours on IPR enforcement investigations.

Export Enforcement

- 33. Question:** Please provide an update on efforts to consolidate export enforcement functions within ICE and/or other DHS components

ANSWER: As the nation's leading law enforcement agency responsible for investigating violations of U.S. export control law, U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), through its Counter-Proliferation Investigations (CPI) Program, continues to employ significant enforcement authorities and investigative resources toward deterring, disrupting, and dismantling transnational proliferation networks. Conducting successful proliferation investigations will only become more complex due to increased globalization of international markets and economies. To maintain a vigorous and robust counter-proliferation program, HSI must adapt to rapidly evolving counter-proliferation threats in order to protect U.S. national security and economic interests. As part of this adaptation process, coordinating export enforcement functions within HSI and other U.S. Department of Homeland Security (DHS) components has become paramount. This has been no more evident than in the collaboration among HSI and other DHS components such as U.S. Customs and Border Protection (CBP), the Office for Bomb Prevention, the DHS Office of Policy, the National Protection and Programs Directorate, the Office of Intelligence and Analysis, the Transportation Security Administration, the Federal Emergency Management Agency, the U.S. Coast Guard, and the Office of General Counsel. These DHS components collaborate on initiatives such as Program Global Shield; an HSI World Customs Organization-(WCO) led initiative aimed at counter-improvised explosive device [C-IED] efforts. They have also coordinated on the Global Nuclear Detection Architecture, the DHS Domestic Nuclear Detection Office-led initiative that created a multilayered network to detect illicit radiological and nuclear materials or weapons. This involves developing and deploying effective detection solutions within the United States and abroad, maintaining situational awareness, and sharing critical information related to detection. In addition, HSI also partners with its DHS counterparts in furtherance of the National Strategy for Global Supply Chain Security. This strategy focuses on the worldwide network of transportation, postal, and shipping pathways, assets, and infrastructures (including communications and information infrastructures) and is an important step forward. It provides strategic guidance to departments and agencies within the U.S. Government and identifies our priorities to stakeholders with whom we hope to collaborate in the future. In 2011, in furtherance of HSI's primary role in export enforcement, the President issued Executive Order 13558, creating an Export Enforcement Coordination Center (E2C2). The E2C2 is a multi-agency center that serves as the primary government entity for the exchange

of information and intelligence related to export enforcement. As mandated by Executive Order 13558, the E2C2 is housed within DHS and is managed by HSI's Director. The E2C2 became operational in March 2012 and was funded solely through the existing HSI budget. It currently houses eight separate U.S. Government departments (approximately 17 different agencies).

- 34. Question:** How does the FY 2013 budget request support funding for the Export Coordination Enforcement Center announced on November 9, 2010?

ANSWER: The Export Enforcement Coordination Center (E2C2) is not specifically identified in the fiscal year (FY) 2013 budget request. While U.S. Immigration and Customs Enforcement is working to address appropriate funding allocation, E2C2 is currently staffed using existing resources.

Investigations

- 35. Question:** Provide a chart showing arrests by field office by category of investigation for FY 2011.

ANSWER: Below are the arrests made by U.S. Immigration and Customs Enforcement's Homeland Security Investigations (HSI) field offices by category of investigation for fiscal year 2011

- 36. Question:** Provide a chart showing investigations completed jointly by ICE and other agencies in FY 2011.

ANSWER: During fiscal year 2011, U.S. Immigration and Customs Enforcement Homeland Security Investigations (HSI) completed 13,562 domestic and international investigations that jointly involved the assistance of other agencies. The table provides the breakdown of the total joint investigations, by agency, that HSI conducted. Please note the table total will exceed 13,562 because some investigations involved multiple departments, agencies, and components

Assisting Agency and Number of Joint Investigations		Assisting Agency and Number of Joint Investigations	
U.S. Customs and Border Protection	6,566	U.S. Department of Agriculture	20
State/Local Law Enforcement Agencies	4,684	U.S. Navy	17
U.S. Drug Enforcement Administration	847	U.S. Fish and Wildlife Service	12
U.S. Border Patrol ¹	828	Federal Air Marshal Service ²	10
Federal Bureau of Investigation	349	U.S. Defense Criminal Investigative Service	10
Bureau of Alcohol, Tobacco, Firearms and Explosives	250	Joint Interagency Task Force South	9
U.S. Postal Service	226	U.S. Air Force	9
U.S. Coast Guard	122	U.S. Environmental Protection Agency	8
Internal Revenue Service	117	U.S. Park Service	8
U.S. Marshals Service	89	Bureau of Land Management	4
U.S. Secret Service	76	U.S. Consumer Product Safety Commission	4
U.S. Food and Drug Administration	74	U.S. Department of the Treasury	2
U.S. Department of State	70	Bureau of Indian Affairs	1
U.S. Department of Defense	36	U.S. Department of Energy	1
Transportation Security Administration	28	U.S. Department of Transportation	1
U.S. Department of Commerce	26	Joint Interagency Task Force East	1
U.S. Department of Labor	23	Joint Interagency Task Force West	1

¹ The numbers for U.S. Border Patrol are not included in the numbers for U.S. Customs and Border Protection (CBP). CBP's numbers are for all other offices within CBP other than the U.S. Border Patrol.

² The numbers for the Federal Air Marshal Service (FAMS) are not included in the numbers for the Transportation Security Administration (TSA). TSA's numbers are for all other offices within TSA other than the FAMS.

Vetted Units

37. Question: The FY 2012 conference agreement provided authority for ICE to use appropriated funds to support investigative activities by ICE vetted units. How are you using that authority?

ANSWER: U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) currently has 13 operational Transnational Criminal Investigative Units (TCIUs) at the following locations: Afghanistan, Mexico, Colombia (3 units: 1 in Bogota and 2 in Cartagena), Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras (2 units: criminal investigations and gang task force), Jamaica, and Panama. ICE HSI projects adding two TCIUs in fiscal year (FY) 2012 in Pakistan and Spain, and two more in FY 2013 in Thailand and the Philippines. ICE will continue to utilize funding from State, Treasury, or Defense, while considering future requests for long-term dedicated funding now that ICE has authority to do so.

38. Question: What are some recent examples of vetted unit successes?

ANSWER: Provided separately (Law Enforcement Sensitive).

39. Question: What plans do you have to expand vetted units going forward?

ANSWER: U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) currently has 13 operational Transnational Criminal Investigative Units (TCIUs) in the following locations: Afghanistan, Mexico, Colombia (3 units: 1 in Bogota and 2 in Cartagena), Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras (2 units: criminal investigations and gang task force), Jamaica, and Panama. ICE HSI projects adding two TCIUs in fiscal year (FY) 2012 in Pakistan and Spain, and two more in FY 2013 in Thailand and the Philippines.

40. Question: How is ICE measuring the impact, progress, and success of its vetted units? Please provide such data for the existing units.

ANSWER: Provided separately (Law Enforcement Sensitive).

Repatriation

41. Question: By country of origin, provide the average number of days that individuals with final removal orders await repatriation, after the U.S. provides notification to the country of origin. Please also provide the number of visas issued to nationals of those countries in FY 2011 by the following categories: B-1, B-2, F/J/M, and all.

ANSWER: This table reflects the average number of days between the initial travel request date and the departure date for ICE removals during fiscal year (FY) 2011. The information provided below does not include the time it takes to acquire travel documents from the listed countries. As ICE is not a visa issuing authority, that portion of the question is deferred to the Department of State.

FY 2011 Average Number of Days between Country Clearance Request and Departure Date

Country	Average Number of Days
Afghanistan	17.1
Albania	11.2
Algeria	11.3
Angola	9.4
Anguilla	8.9
Antigua and Barbuda	9.9
Argentina	10.2

Country	Average Number of Days
Armenia	14.7
Aruba	9.7
Australia	11.4
Austria	11.0
Azerbaijan	16.9
Bahamas	9.8
Bangladesh	12.2
Barbados	12.4
Belarus	11.6
Belgium	10.9
Belize	12.3
Benin	13.9
Bermuda	11.9
Bolivia	12.5
Bosnia-Herzegovina	11.5
Botswana	8.3
Brazil	7.8
British Virgin Islands	10.6
Bulgaria	12.8
Burkina Faso	13.9
Burma Myanmar	24.4
Burundi	18.3
Cambodia	16.2
Cameroon	13.3
Canada	8.1
Cape Verde	15.0
Cayman Islands	12.2
Central Africa	12.0
Central African Republic	14.6
Chad	12.4
Chile	11.5
China	11.6
Colombia	7.8
Costa Rica	10.6
Croatia	12.0
Czech Republic	11.4
Democratic Republic of the Congo	16.3
Denmark	7.4
Djibouti	21.4
Dominica	14.0
Dominican Republic	5.6
Ecuador	7.7
Egypt	11.8
El Salvador	7.4
Equatorial Guinea	12.3
Eritrea	10.4
Estonia	12.3
Ethiopia	13.9

Country	Average Number of Days
Fiji	12.1
Finland	9.2
France	10.3
French Polynesia	13.4
Gabon	22.9
Georgia	10.0
Germany	11.2
Ghana	12.1
Greece	11.3
Grenada	19.5
Guadeloupe	7.3
Guatemala	6.8
Guinea	12.8
Guyana	17.0
Honduras	8.8
Hungary	10.8
Iceland	11.0
India	11.2
Indonesia	10.4
Iran	12.0
Iraq	19.8
Ireland	9.4
Israel	10.9
Italy	10.8
Ivory Coast	11.9
Jamaica	9.2
Japan	13.8
Jordan	11.4
Kazakhstan	9.9
Kenya	14.9
Korea	12.1
Kosovo	10.3
Kuwait	11.9
Kyrgyz Republic	13.8
Laos	9.7
Latvia	14.0
Lebanon	23.6
Liberia	13.3
Libya	12.3
Lithuania	12.5
Macedonia	11.0
Malawi	15.7
Malaysia	16.3
Mali	13.0
Marshall Island	16.2
Martinique	10.9
Mauritius	19.6
Mexico	9.0

Country	Average Number of Days
Micronesia	12.3
Moldova	10.6
Mongolia	12.9
Montenegro	13.0
Morocco	11.5
Mozambique	20.4
Namibia	9.4
Nepal	16.3
Netherlands	12.3
Netherlands Antilles	10.5
New Zealand	13.7
Nicaragua	8.6
Niger	12.8
Nigeria	13.5
Norway	8.9
Pakistan	11.0
Palau	12.7
Panama	12.6
Papua New Guinea	13.4
Paraguay	9.5
Peru	10.5
Philippines	11.7
Poland	10.1
Portugal	9.8
Republic of the Congo	17.0
Romania	13.8
Russia	11.6
Rwanda	9.5
Saint Kitts and Nevis	11.5
Samoa	13.8
Saudi Arabia	13.9
Senegal	10.0
Serbia	11.7
Seychelles	9.5
Sierra Leone	12.8
Singapore	12.0
Slovak Republic	14.6
Slovakia	13.4
Slovenia	12.4
South Africa	13.5
South Korea	11.9
Spain	11.6
Sri Lanka	13.4
St Kitts	10.8
St Lucia	13.2
St Martin	6.6
St. Vincent and the Grenadines	10.3
Sudan	11.3

Country	Average Number of Days
Suriname	11.1
Sweden	10.0
Switzerland	11.8
Syria	10.8
Taiwan	11.4
Tajikistan	12.1
Tanzania	13.4
Thailand	12.5
The Gambia	14.5
Togo	15.0
Tonga	14.0
Trinidad and Tobago	12.1
Tunisia	12.4
Turkey	12.0
Turkmenistan	8.3
Turks and Caicos	7.9
Uganda	16.5
Ukraine	12.0
United Kingdom	10.1
Uruguay	10.1
Uzbekistan	12.8
Venezuela	10.6
Vietnam	23.4
Western Samoa	10.2
Yemen	12.6
Zambia	13.8
Zimbabwe	14.0

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE David Price

Director John Morton, Immigration & Customs Enforcement

Committee on Appropriations
 Subcommittee on Homeland Security
 FY 2013 Budget Request – ICE
 March 8, 2012

Cost of Detention Beds:

42. Question: ICE has three different detention bed contract vehicles: they have 6 service processing centers that ICE owns, 7 contract detention facilities, and 250 Inter-governmental service agreements that also provide detention bed spaces to ICE. ICE has had difficulty accounting for its bed costs. At the end of FY 2009, ICE had a shortfall in bed funding due to an inadequate request. From 2008-2011, ICE used an average of \$99.00 per day for bed costs, yet actual costs were much higher (\$115.34/day in FY 2009, \$116.88/day in FY 2010, and \$112.83/day in FY 2011). To determine the true funding requirements for detention beds, ICE is performing a detailed analysis of bed costs, has developed a managerial cost accounting model to show cost requirements for alien removals, and is bringing work in house where possible to eliminate expensive outside contracts (e.g. detention service monitoring will be done by ICE now, not Nakamoto). To date, ICE has found that they had purchased a much higher number of beds that ultimately were not utilized. Entering into contracts for fewer beds, reflective of past usage, in large part explains the decreasing bed costs for FY 2011. Yet, for FY 2012, we appropriated funds assuming a \$122/day for 34,000 beds. The FY 2013 assumes a similar daily bed rate (but 1,200 fewer beds), in part, reflecting automatic rate adjustments included in the IGSA's contracts for both years. Assistant Secretary Morton, what additional measures will you take this fiscal year to get your average daily bed rate under control so that you can make sure you are getting the most for your money?

ANSWER: ICE is taking the following measures, while continuously looking for ways to make contracting more efficient and to reduce the alien's average length of stay

- **Transitioning to an Intergovernmental Service Agreement (IGSA) Preferred Strategy:** ICE is focusing on procuring bed-space through more flexible IGSA's that mitigate long-term risk by dramatically reducing the length of the government's obligation and its annual costs.
- **Consolidation of Facilities:** ICE continues to look for opportunities to consolidate facilities in order to streamline operations, such as lowering annual inspection costs. ICE has also decreased the number of IGSA's used from 340 to 247 facilities.
- **Capacity Alignment and Limiting of Transfers:** Aligning detention capacity with operational demand will significantly reduce the number of detainee transfers and result in decreased costs associated with transportation and delays in proceedings. ICE has already established a policy to help reduce transfers.
- **Comprehensive Review of Procurement Strategy:** ICE will undertake a thorough and systematic review of the detention bed procurement strategy and processes. This review will ensure that ICE has an efficient procurement strategy that reflects its operational requirements.

43. Question: There appears to be no rhyme or reason to average daily bed rate costs. For example, Newark and San Diego are the most costly areas, with a daily bed rate of \$215.59 and \$194.84 respectively. These costs are almost double that of the cities closest to them, with New York having a bed rate cost of \$113.99 and Los Angeles being \$123.97. While I

realize that San Diego and Newark are expensive cities, why is San Diego's daily bed rate \$80 more expensive than Los Angeles? And how is Newark \$90 more expensive than New York?

ANSWER: There are many reasons for the differences in daily bed rates at detention facilities used by U.S. Immigration and Customs Enforcement (ICE). Each contract or agreement stands on its own. The differences are caused by many factors, including: (1) the geographic location of the facility; (2) the number of beds at the facility; (3) whether the contract or agreement is with a for-profit commercial contractor or a local governmental entity such as a county or a city; and (4) the type of detention standards applicable to the contract or agreement.

44. Question: When ICE makes a decision on where to detain an alien, do you look at the daily bed rates for each nearby option or do you just pick the closest facility regardless of cost?

ANSWER: When deciding where to detain an alien, U.S. Immigration and Customs Enforcement (ICE) evaluates a variety of factors, including the following (not in any specific order).

- The ICE Detainee Transfers policy issued by ICE Director John Morton on January 4, 2012;
- The type of facility (e.g., an over 72-hour facility or a less than 72-hour facility);
- The number of available beds at a facility (some facilities have minimum bed agreements);
- The type of beds available at a facility (e.g., male versus female and the detention level);
- The available transportation resources to transport detainees to and from the detention facility;
- The proximity of the facility to Executive Office for Immigration Review courts; and
- The daily bed rate.

Phasing out the 287(g) program:

45. Question: Nine years after the 287(g) program was first initiated, there has been thorough documentation of abuses and poor management of the program. There have been three audits by the DHS Inspector General that raised serious concerns about the 287(g) program. ICE has also had to terminate some 287(g) Taskforces, notably in Maricopa County, Arizona, after the Justice Department clearly documented racial profiling and other program abuses.

The 2013 budget request reduces funding for the 287(g) program by \$17 million (from \$68.3 million in 2012 to \$51.3 million). In mid-February, Assistant Secretary Morton began notifying communities that "ICE will no longer be considering any 287(g) task force model requests from state and local jurisdictions and instead will devote resources to the expansion of other ICE programs and the continued deployment of Secure Communities". And as the following chart shows, 287(g) task force model is significantly more expensive, per person, than Secure Communities.

FY11 Full Year 287(g) and SC Costs for Apprehensions (as of 30-Sept)						
	287(g) - Task Force		287(g) - Jail Model		SC	
	Apprehensions	Removals	Apprehensions	Removals	Apprehensions	Removals
Alhens	1,044	698	30,727	19,765	70,572	35,725
Full Year Cost	\$13,918,594		\$15,821,993		\$45,796,544	
Cost per Apprehension	\$13,332	\$19,941	\$515	\$801	\$649	\$1,282

Assistant Secretary Morton, many communities with the 287(g) program now also have Secure Communities and those that do not, will have it by the March of 2013. 287(g) partners, such as the Sheriff of Davidson County, Tennessee, have questioned whether the program is necessary given the low level of apprehensions and the existence of other ICE programs. Given your plan to implement Secure Communities nationwide shortly, why is ICE asking for continued funding of the 287(g) program at all? Why do we need to have both the 287(g) and Secure Communities programs?

ANSWER: Section 287(g) of the Immigration and Nationality Act provides the authority for the U.S. Department of Homeland Security (DHS) to delegate to state and local law enforcement officers the authority to enforce certain provisions of federal immigration law under a joint memorandum of agreement (MOA). The 287(g) program serves as a force multiplier for ICE at the state and local level, expanding ICE's presence to initiate immigration enforcement action against criminal aliens and those others who fall within ICE's civil immigration enforcement priorities.

The 287(g) Program uses two models to accomplish its mission:

- **The Task Force Model:** The governing MOA is designed to proactively identify and process criminal aliens and others who meet ICE's enforcement priorities who reside within the law enforcement agency (LEA) jurisdiction and assign law enforcement officers performing immigration-related duties pursuant to the MOA to task force operations supported by ICE. The law enforcement officers are able to identify, process, and prosecute removable aliens of interest to ICE under the supervision of the local office of ICE Homeland Security Investigations (HSI). Many of the task force model encounters are with aliens who are of interest to ICE and DHS because they are under surveillance for criminal activity, which often results in the need for a lengthy investigation. ICE has determined that in many cases, due to the increased level of resources required to process these removals, this model is often an inefficient use of resources
- **The Jail Enforcement Model:** The governing MOA is designed to identify and process criminal aliens and others who meet ICE's enforcement priorities and who have been arrested and booked into state and local facilities (including those identified through Secure Communities) for non-immigration-related offenses (i.e., immigration status was not the reason for the arrest and booking). This model allows state and local law enforcement officers, pursuant to the MOA, to process removable aliens within the prison or jail population under the supervision of the local ICE Office of Enforcement and Removal Operations field office. As Secure Communities is deployed nationwide, the need for state and local officers to identify removable aliens will decrease, although they will still be needed to identify aliens that do not have a DHS record and then interview and process those removable aliens (under ICE supervision) identified through Secure Communities or otherwise.

In light of the nationwide activation of the Secure Communities program, the President's Budget proposes to reduce the 287(g) program by \$17 million. The Secure Communities screening process is more consistent, efficient, and cost effective in identifying for removal criminal and other priority aliens. As part of this reduction in 2013, ICE will discontinue the least productive 287(g) task force agreements in those jurisdictions where Secure Communities is already in place, and ICE will also suspend consideration of any requests for new 287(g) task forces.

- 46. Question:** Your budget says that the 287(g) reductions will impact the jurisdictions with the lowest criminal identifications. How many of the current 68 287(g) jurisdictions will be eliminated?

ANSWER: To implement the President's Fiscal Year (FY) 2013 Budget, ICE will begin by discontinuing the least productive 287(g) agreements in those jurisdictions where Secure Communities is already in place. A thorough review of 67 of the 68 existing 287(g) programs, which were established by agreements signed in 2009, will be conducted in FY 2012 by the ICE 287(g) Advisory Board to determine the efficiency and effectiveness of each program. The ICE 287(g) Advisory Board will conduct a similar review of the remaining existing program, a 287(g) jail enforcement model program with the Lexington County Sheriff's Office in South Carolina, in FY 2013. This program will not be reviewed until FY 2013 because it was established by an agreement signed in 2010. Program reviews will give ICE the information needed to assess the value of individual 287(g) agreements and determine which agreements to discontinue.

- 47. Question:** Should I assume that you do not plan on adding any new jurisdictions under the 287(g) jail model in 2013, since you have already ruled out adding communities under the task force model?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) will evaluate requests it receives to participate in the 287(g) jail enforcement model. In light of the nationwide activation of Secure Communities, the proposed fiscal year (FY) 2013 Budget reduces funding for the 287(g) program by \$17 million. The Secure Communities screening process is more consistent, efficient, and cost effective in identifying criminal and other priority aliens for removal. As part of this reduction in FY 2013, ICE will discontinue the least productive 287(g) task force agreements in those jurisdictions where Secure Communities is already in place and will also suspend consideration of any requests for new 287(g) task force models.

- 48. Question:** Have you considered eliminating funding for all current task force 287(g) programs since their apprehensions and removals are quite low compared to the jail model?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) conducts reviews of all 287(g) programs at various intervals throughout the year to ensure consistency with ICE priorities. ICE's review of existing task force models demonstrated that they are less efficient than other ICE enforcement programs, particularly in light of Secure Communities, which ICE will have fully deployed nationwide during fiscal year 2013. To implement the President's fiscal year 2013 budget, ICE will begin by discontinuing the least productive 287(g) task force agreements in those jurisdictions where Secure Communities is already in place.

- 49. Question:** How much funding would be saved if the current task forces are not funded in 2013?

ANSWER: If the current task forces are not funded in fiscal year 2013, the 287(g) program would save approximately \$10.8 million; \$8,483,000 from the 287(g) Task Force Model Memoranda of Agreement and an additional \$2.4 million from information technology support, training, compliance reviews, and other administrative responsibilities. However, if these approximated savings were realized in the 287(g) program budget as a result of non-funding, the associated workload costs would have to be absorbed from another funding source within U.S. Immigration and Customs Enforcement.

Alternatives to Detention

- 50. Question:** In July 2009 ICE consolidated its alternative to detention programs (ATDs) into one program—the Intensive Supervision Assistance Program, which relies on the use of electronic ankle monitors, installation of biometric voice recognition software, unannounced home visits, employer verification, and in-person reporting to supervise participants. However, more recently, ICE has increased the use of telephonic supervision. For the record, please detail for your fiscal year 2012 and 2013 funds how much funding is allocated for the intensive supervision assistance program and how much is directed towards telephonic supervision.

ANSWER: The Alternatives to Detention (ATD) program is a flight-mitigation tool that uses technology and case management to increase compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their communities. U.S. Immigration and Customs Enforcement's Office of Enforcement and Removal Operations (ERO) uses the current Intensive Supervision Appearance Program (ISAP) II contract, administered by Behavioral Interventions, Inc., to oversee the ATD program. There are two components of the Alternatives to Detention (ATD) program: the full-service (FS) component and the technology-only (TO) component. The FS component includes case management and electronic monitoring administered by the contractor under ERO supervision. The TO component uses only electronic monitoring, by either a global positioning system [GPS] or voice verification telephonic reporting (TR), under ERO supervision.

Through February in fiscal year (FY) 2012, \$17,402,136.78 had been applied directly to the ISAP II contract. Of that amount, \$15,407,921.98 had been applied to FS; \$461,341.13 had been applied to TO, which includes \$423,244.41 toward TR; and another \$1,532,873.67 had been applied to the contract-management fees of the ISAP II contract. As of March 2012, it

is anticipated that the FY 2013 budget will be proportionally allocated and consistent with FY 2012.

- 51. Question:** How effective have these two models been? For example, what percent of persons under intensive supervision show up for their final removal hearing? How does that compare to telephonic supervision?

ANSWER: During fiscal year (FY) 2012, Alternatives to Detention (ATD) participants assigned to the Full Service (FS) component attended more than 97 percent of the hearings during which a decision on the merits was rendered from an immigration Judge. The court appearance rates are not calculated for the Technology Only (TO) component participants.

The FS component and the TO component are intended to be complementary in nature to use the most appropriate level of monitoring and case management for each individual participant that is enrolled in the ATD program. Both components will assign either a global positioning system unit or voice verification telephonic reporting to a participant; technology is not exclusive to one component or the other.

The FS component is intended for those participants who require a higher level of monitoring during initial participation and for those participants who have received a final order of removal or voluntary departure. One of the advantages of the FS component is its effectiveness in ensuring compliance with removal orders. However, most participants spend the majority of their time pending proceedings before an Immigration Judge or appeal before the Board of Immigration Appeals. During those extended periods of time, those participants who have shown that they are not a flight risk are de-escalated to the TO component where monitoring is significantly reduced in comparison to the FS component.

- 52. Question:** What are the daily rates for each of these programs (intensive supervision versus telephonic supervision)?

ANSWER:

Fiscal Year 2011

Supervision Category	Average Daily Cost
Full Service + Technology	\$ 8.19
Technology Only	\$ 0.46

Chart Summary

U.S. Immigration and Customs Enforcement's (ICE) Alternatives to Detention (ATD) program includes three categories of enrollment: full service supervision with technology, full service supervision without technology, and technology only supervision. For the purpose of responding to this question, ICE construes "intensive supervision" to be "full service supervision with technology" and "telephonic supervision" to be "technology only supervision" (telephonic supervision is one form of technology only supervision).

The ATD contract offers a fixed price for each technology option and varying prices for full-service case management depending upon which stage of the legal process an alien is in. The average costs above are calculated as a weighted average of the contract price and the number of individuals enrolled in each category each day.

Definitions

Full Service with Technology: Includes participants enrolled in ICE's full service supervision component. The quoted average daily cost includes both case management supervision costs and technology costs. Case management supervision costs include costs

associated with a case specialist performing case management and case management fees. Technology costs vary based upon the types of technology used to monitor a participant.

Technology Only: Includes ATD participants enrolled only in technology supervision. There are no case management costs associated with this enrollment option. Categories of technology supervision include GPS/Passive, GPS/Active, and telephonic supervision.

- 53. Question:** The budget requests \$111,590,000 for alternatives to detention programs in 2013 and discusses flexibility in moving the increases in ATD (\$39.9 million) for beds if necessary. How exactly would you do this?

ANSWER: This would be accomplished by requesting a formal re-programming from the Alternatives to Detention program, project, and activity (PPA) to the Custody Operations PPA

- 54. Question:** What type of monitoring would you put in place to determine whether ATD dollars should be reallocated elsewhere?

ANSWER: The Alternatives to Detention (ATD) unit continues to develop methods of evaluating the most efficient use of ATD resources. U.S. Immigration and Customs Enforcement (ICE) monitors and tracks the average daily population. Under the President's Budget, ICE will reallocate ATD dollars if the number of detention eligible aliens exceeds the proposed detention funding levels.

- 55. Question:** Would this review be monthly, quarterly, or as needed?

ANSWER: U.S. Immigration and Customs Enforcement regularly monitors the average daily population of detained aliens to ensure that enforcement goals are met and that adequate funding is in place to support alternatives to detention (ATD). The frequency of this monitoring would occur on an as needed basis as determined by operational requirements and bed space funding at any given time. Additionally, in order to ensure there are sufficient resources to detain high-risk aliens, the Fiscal Year 2013 budget proposes flexibility to transfer funding between immigration detention and ATD.

- 56. Question:** Do you plan to report to the Committee before such a transfer would occur?

ANSWER: Per the provision that is usually included in U.S. Immigration and Customs Enforcement's (ICE) annual appropriations, ICE would notify the Committee of the reprogramming request.

- 57. Question:** As part of the ATD funding request, have you explored different methods for providing ATD because not everyone requires intensive supervision. For example, have you explored contracting with non-governmental organizations to develop additional ATD programs that help expand a broader continuum of alternative programs? I believe this is something ICE has done in the past. As part of this response, please identify past use of NGOs under the ATD program and whether you continue to use these groups currently.

ANSWER: Several methods can be used to supervise an alien who has been released from custody: issuing an Order of Release on Recognizance, an Order of Supervision, a bond, or using the Alternatives to Detention (ATD) program in conjunction with any of the other three programs. While the first three options rely heavily on the alien reporting to U.S. Immigration and Customs Enforcement's (ICE) Office of Enforcement and Removal Operations (ERO) with little to no direct ERO oversight, ATD is a flight risk mitigation tool that uses technology and case management to increase compliance with release conditions and to facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their communities.

ATD comprises the Full Service (FS) component and the Technology Only (TO) component. These components are intended to be complementary in nature—to use the most appropriate level of monitoring and case management for each individual participant enrolled in the ATD program. Depending on the results of a case-by-case evaluation, a participant may be assigned to either component using either form of technology. Over time, a participant will be re-evaluated to determine whether the current level of monitoring is most

appropriate. Depending on that evaluation, the monitoring may be escalated or de-escalated as necessary.

The ATD program has had open dialogue with NGOs and has taken their recommendations or concerns into consideration while continually working to improve the program as mission priorities change. Currently, the ATD program is in the second option year of the Intensive Supervision Appearance Program II contract and the program focuses on the supervision options offered under this contract.

Reductions to Mission Support Staff:

58. Question: The 2013 budget proposes a \$38.6 million decrease to ICE mission support staff, reflecting a loss of 184 FTEs. Beginning in 2007 under then Chairman Rogers, and continuing onwards, we have repeatedly increased funding for ICE mission support staff. For example, in the fiscal year 2011 House bill, we provided \$15 million above the request to backfill investigatory support positions that were reallocated to Southwest Border-related activities in 2010. In 2010, you increased funding above the request for analytical support to the Border Violence Cell. Mission support personnel allow ICE agents to focus on their enforcement missions, such as dismantling drug trafficking and human smuggling organizations along the Southwest Border, instead of handling paperwork. How does your proposed decrease to ICE mission support personnel not reduce your agents' enforcement abilities, particularly along the Southwest border?

ANSWER: The reduction to mission support staff does not include any cuts to investigative or law enforcement support positions. No investigatory support positions will be cut.

ICE will reduce administrative mission support positions that do not directly support law enforcement operations. For example, ICE will realign administrative activities and functions such as procurement, property management, budget, finance, human resources, etc., to improve efficiency. At the same time, ICE is reviewing all professional services contracts to identify potential mission support cost efficiencies through in-sourcing and reduction of contract expense. Positions such as technical enforcement officers and intelligence research specialists are not part of these efforts.

59. Question: Where specifically will these cuts be made and why do you believe these will make your agency more efficient?

ANSWER: Through a mission support analysis, U.S. Immigration and Customs Enforcement has identified mission support redundancies and efficiencies. As positions are not backfilled in fiscal year 2013, internal reorganization and centralization will ensure that all support activities continue to be accomplished with fewer full-time equivalent positions.

Visa Overstay:

60. Question: Following the attempted Christmas Day bombing, DHS worked aggressively to streamline its screening process for those who had potentially overstayed their period of admission. In May 2011, DHS organized an effort to ensure that all overstays (approximately 1.6 million), regardless of priority, received enhanced national security and public safety vetting by the National Counterterrorism Center (NCTC) and CBP. To do so, US-VISIT used automated means to review all records in the backlog and identified 843,000 visa overstays who were no longer in the country. Then, both NCTC and CBP vetted the remaining 757,000 potential in-country overstay leads, along with 82,000 previously vetted overstay leads. CBP used its Automated Targeting System to query multiple databases, and to compare records to CBP's intelligence-based threshold targeting rules to identify indicators such as suspicious travel patterns or irregular travel behavior. Simultaneously, NCTC vetted the backlogged records through a number of databases held by the Intelligence Community. By the end of July 2011, all of the previously un-reviewed possible overstays records had been reviewed from a national security and public safety standpoint. ICE then began pursuing overstay leads on these remaining leads, prioritizing targets for investigation and removal. Assistant Secretary Morton, ICE should be commended for all the hard work you have undertaken to assist in reducing the number of people that have overstayed their visas

The 2013 budget request proposes realigning US Visit into CBP and ICE. While CBP gets the majority of the programs, ICE has a \$17.6 million transfer reflecting an alignment of the visa overstay piece of US Visit with ICE's enforcement mission. The budget makes a case that by combining the US Visit overstay program with your enforcement mission, this work can be done more effectively and we would recognize economies of scale. Highlight for us exactly how this transfer would strengthen both of your efforts?

ANSWER: Since the inception of U.S. Immigration and Customs Enforcement's Homeland Security Investigations (HSI) Counterterrorism and Criminal Exploitation Unit (CTCEU), US-VISIT has been a significant partner in the process of identifying potential national security leads for HSI field investigations. Our respective agencies have adopted a layered approach to assemble, review, and eliminate leads that do not meet specific parameters. This merger presents new opportunities to consolidate resources and increase efficiency by consolidating the disparate teams of analysts who perform similar functions and by improving the vetting process.

The Overstay Project, which is currently stewarded by CTCEU, US-VISIT, and U.S. Customs and Border Protection, is currently in phase two of a series of planned developments to increase efficiencies in the ATS, US-VISIT, and LeadTrac, the internal case management system for CTCEU. This merger may present new opportunities to reduce redundant procedures, combine information technology architecture, and save capital for investment in other U.S. Department of Homeland Security priorities. However, a substantial review will be required once the merger is completed to evaluate current processes to fully identify potential efficiencies and economies of scale.

61. Question: If we did not approve this transfer and left US Visit intact in NPPD, what are the biggest challenges your agency faces working under the current model?

ANSWER: The biggest challenge currently identified is the duplication of efforts. Having a portion of US-VISIT with U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations' (HSI) National Security Division will reduce duplicative efforts and make designing and implementing new initiatives less complex. For example, US-VISIT generates leads, performs automatic and manual vetting, and then forwards leads to ICE, which then performs automatic and manual vetting again before referring a viable lead to HSI field offices. Combining these processes would eliminate duplication and decrease the time it takes a lead to get to the field for investigation. Another example is that our person-centric targeting relies on data going from US-VISIT to U.S. Customs and Border Protection, back to US-VISIT for vetting and, finally, to ICE. Combining resources will reduce some of the steps required for that initiative, among others as well.

Sexual Abuse:

62. Question: In January 2011, the Justice Department released a proposed rule that aims to prevent and respond to sexual abuse in incarceration settings, in accordance with the Prison Rape Elimination Act (PREA). Attorney General Holder has stated that "sexual abuse is a crime, not punishment for a crime." "The Department of Justice's goal is to eliminate these acts of violence by taking deliberative and concrete steps to ensure the health and safety of prisoners. Based on recommendations of the National Prison Rape Elimination Commission (NPREC), the proposed rule contains four sets of national standards aimed at combating sexual abuse in four types of confinement facilities: adult prisons and jails, juvenile facilities, lockups and community confinement facilities. It is my understanding that after a comment period and revisions, the final rule is under review at OMB. The proposed rule is limited to the Department of Justice; ICE is specifically excluded. However, I believe that any ICE detainees housed in general population state prisons or local jails would be subject to the DOJ standards, as the standards apply to the facilities themselves. The question remains about ICE detainees housed in state, local, or private facilities.

There is no defensible reason why civil immigration detainees should be less protected from sexual abuse than criminal detainees and prisoners. I think we would agree that ALL immigration detainees should be protected through enforceable regulations. Assistant Secretary Morton, has DHS evaluated issuing its own prison rape elimination regulations or are you working with the Department of Justice to expand their regulations to include ICE detainees?

ANSWER: On May 17, 2012, the U.S. Department of Justice announced the release of its final rule to prevent, detect, and respond to sexual abuse in confinement facilities, in accordance with the Prison Rape Elimination Act of 2003 (PREA). On the same date, President Barack Obama issued a Presidential Memorandum directing the full implementation of PREA. This memorandum explains that the Administration has concluded that PREA applies to all confinement facilities operated by federal agencies and directs all agencies with confinement facilities to propose rules or procedures, within 120 days, to prevent, detect, and respond to sexual abuse. The U.S. Department of Homeland Security (DHS) fully embraces PREA's goal of eliminating sexual abuse and assault in confinement facilities, including immigration detention facilities. As such, DHS will move swiftly to propose regulations on the topic and will work with the Attorney General of the United States and others to ensure that the regulations satisfy the goals of the statute. The proposed regulations will build upon the already robust protections to prevent and respond to sexual abuse and assault in U.S. Immigration and Customs Enforcement (ICE) immigration detention facilities found in the 2011 Performance Based National Detention Standards and the ICE Sexual Abuse and Assault Prevention and Intervention directive.

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE John R. Carter

Director John Morton, Immigration & Customs Enforcement

Committee on Appropriations
 Subcommittee on Homeland Security
 FY 2013 Budget Request - ICE
 March 8, 2011

Alternatives to Detention

63. Question: Secretary Napolitano testified to this subcommittee that the reduction in bed resources would be directed to Alternatives to Detention or ATD. As you know, I'm familiar with ATD from my time as a Judge. A couple of things about this proposal concern me:

ATD is not intended for dangerous criminal aliens, and I remain concerned that with a shortfall in detention beds we will see individuals who should be in detention placed into ATD programs.

Over the last year we have seen a steady decrease in the number of Full Service participants in ATD – dropping from 13,903 to 12,299 (-12%). At the same time we have seen a steady increase in the use of telephonic reporting only from 3,092 to 10,346 – an increase of 234%.

The result is that while the program looks as if it is growing in participants (from 17,377 to 22,957 participants in the past year) it is really just an increase in Telephonic Reporting (a once per month phone call). This is a far less effective method.

Given the difference in successful participant removal rates, 84% for full service and 47% for telephonic reporting only, can you assure us that ICE will use the requested increase to select the most effective ATD model to drive outcomes rather than selecting a specific service by lowest cost option, such as less effective Telephonic Reporting only?

ANSWER: ICE is seeking ways to improve removal rates for Alternatives to Detention (ATD) participants by identifying those aliens most in need of ATD monitoring and identifying the most appropriate level of monitoring consistent with available funding. Part of this process includes continual evaluations of those participants who are active in either the full-service (FS) or technology-only (TO) component to determine whether their current level of monitoring is most appropriate. Factors taken into consideration include, but are not limited to, supervision history, past criminal history, community ties, likelihood of removal in the reasonably foreseeable future, changes in personal circumstances, and current stage in immigration court proceedings.

After assessment, if ICE determines that the higher level of monitoring of the FS component is not necessary, the participant may be recommended for less restrictive reporting. This recommendation may result in a reduction in the level of electronic monitoring (GPS to telephonic reporting (TR)) or de-escalation from the FS component to the TO component. By following these case management practices, ICE is able to more effectively allocate its limited resources to those participants who will best benefit from the FS component, while using the remaining funding to increase participant enrollment in the TO component.

Conversely, should a participant's circumstances change such that a higher level of monitoring is appropriate (e.g., final order has been issued, the participant has not complied with less restrictive reporting requirements, etc.), the ERO officer may require an increase in technology (TR to GPS) and/or re-assignment from the TO component to the FS component, rather than taking the participant into custody. Based on the current FS component removal success rates, ICE has issued guidance to the field to consider re-assigning those TO component participants who receive a final order or voluntary departure to the FS component until they depart the United States.

Human Trafficking

- 64. Question:** As you know, trafficking is a heinous crime in which individuals are exploited for sex or labor, and forced into what is now commonly called “modern-day slavery.”

Often times individuals are brought across international borders into the United States for these purposes. In these cases, the first encounter some of these victims may have with law enforcement officials would be with either ICE or CBP officers. What, if any, training is required for ICE officers in order to help them identify and adjudicate cases of human trafficking?

ANSWER: As part of the U.S. Department of Homeland Security (DHS) Blue Campaign efforts in 2011, the Federal Law Enforcement Training Center (FLETC) led a DHS-wide working group of subject matter experts, with funding from the DHS Office for Civil Rights and Civil Liberties, to create a Human Trafficking Computer Based Training (CBT) specifically for DHS employees and components, including U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection. The CBT is now available to each DHS component via the component’s respective learning portals. The CBT provides each component with indicators of human trafficking that they would encounter during their day-to-day responsibilities. ICE Homeland Security Investigations (HSI) has made the CBT mandatory for all HSI employees in the GS-1811 job series (e.g., special agents) and the CBT is also available to all other ICE employees on a voluntary basis. HSI’s Law Enforcement Parole Unit has recently completed the development of a training module for voluntary on-site training at individual HSI field offices that addresses significant public benefit parole, which includes a basic overview of continued presence and how applications are submitted. This training is slated to begin deployment to HSI field offices in the near future.

In addition, the ICE Academy at FLETC provides training on human trafficking to both basic and advanced students. The ICE Special Agent Training program provides specialized instruction dedicated specifically to human trafficking. This training block is provided to all HSI special agent trainees and covers all relevant aspects of human trafficking, including trafficking organizations and relevant sections of law for prosecuting human trafficking cases. The FLETC ICE Enforcement and Removal Operations (ERO) basic training includes an overview on human trafficking and victim witness file control.

The ICE Academy at FLETC also hosts, on average, three voluntary Advanced Human Smuggling and Trafficking courses per fiscal year. Each course is provided to approximately 24 students. The eight-day course provides special agents who have been assigned to investigate these crimes with a wide array of information and case studies covering topics such as victim assistance, financial investigations, and undercover operations. Because the number of annual courses provided by the ICE Academy is subject to the availability of funds, the Advanced Human Smuggling and Trafficking course is not mandatory training for all special agents.

- 65. Question:** To what extent does ICE collaborate and partner with non-governmental organizations and service providers that work with victims of human trafficking?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) has long recognized the critical role that partnerships play in the global fight against human trafficking and is dedicated to a collaborative effort with non-governmental organizations (NGOs) in order to assist victims, prosecute offenders, and deter future trafficking. Through building relationships with and making referrals to NGO service providers who assist trafficking victims with a range of services, HSI Special Agents and Victim Assistance Coordinators work to ensure that victim services are provided to those who have been trafficked. HSI incorporates a victim-centered approach to human trafficking investigations, and integral to this approach is the understanding that survivors of trafficking are ill-equipped to participate actively in the criminal justice process until they feel stable and their other basic safety needs are met. NGO partners, whether through formal collaborations in U.S. Department of Justice-funded anti-trafficking campaigns or through more informal relationships, provide shelter, legal advocacy, case management, and other services that contribute to trafficking victims’ short- and long-term stability. In addition, due to their close

ties to communities that may be at risk for trafficking, NGOs have also been instrumental in helping to identify other trafficking victims and cases.

HSI also conducts outreach activities, including presentations to corporate associations, academic groups, and local agencies, in order to address multi-jurisdictional issues, collaborative activities, and the difference between trafficking in persons and migrant smuggling. Non-governmental service providers are an important component of our outreach efforts. Throughout fiscal year 2011, ICE participated in and provided training at domestic conferences and seminars that included large numbers of NGO attendees and in that same year, ICE conducted local outreach efforts to over 15,700 representatives from 993 NGOs. In addition to regular outreach and case-related coordination with NGOs, ICE maintains steering committee members on the U.S. Department of Homeland Security (DHS) Blue Campaign. The Blue Campaign convenes semi-annual stakeholder meetings with NGO service providers, immigration advocates, and other stakeholders to address emerging issues in the fight against human trafficking in order to provide updates on DHS efforts.

ICE also hosts a periodic NGO Liaison Working Group meeting that has the goal of promoting communication between ICE and the NGO community, as well as providing a forum wherein information regarding forced labor and anti-trafficking initiatives can be exchanged. Previous participants have included 12 representative NGOs from the Washington, D.C., and New York City metropolitan areas, as well as subject matter experts from ICE, U.S. Customs and Border Protection, U.S. Citizenship and Immigration Services, and the U.S. Department of Labor's Bureau of International Labor Affairs.

- 66. Question:** When individuals who are here illegally and are apprehended and taken to immigration processing and detention centers, what processes are in place to screen these individuals to identify those who may be victims of human trafficking?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) uses multiple processes to screen for individuals who may be victims of human trafficking. When ICE Homeland Security Investigations (HSI) apprehends individuals who are illegally present in the United States and demonstrate known indicators of human trafficking, the potential victims are further interviewed to determine whether they are victims. The interview process is the agency's primary tool to screen for trafficking victims.

ICE provides training courses to ICE officers and special agents relevant to screening for human trafficking victims and offers the Polaris Project Comprehensive Trafficking Assessment as a U.S. Department of Homeland Security resource tool for screening. This assessment tool contains general trafficking assessment questions, sex and labor trafficking specific questions, and network/controller specific questions. Screening for victims of human trafficking occurs primarily in a pre-detention environment. After individuals are identified as victims of human trafficking, they may apply for immigration benefits and access services as authorized by the Trafficking Victims Protection Act of 2000.

Beginning in May 2012, ICE will begin a nationwide phased deployment of a Risk Classification Assessment (RCA) tool that the Office of Enforcement and Removal Operations (ERO) will use to screen and classify adult detainees. The RCA will include required questions related to human trafficking, which were not a specific requirement previously. If the alien's response indicates that human trafficking may have occurred, ERO will forward the information to the local HSI office for further investigation. Because the RCA is intended to serve as a tool to determine custody options, it is only applied to adult aliens. ICE does not detain unaccompanied alien children. Rather, in accordance with the Homeland Security Act of 2002, the U.S. Department of Health and Human Services, Office of Refugee Resettlement, maintains this responsibility.

- 67. Question:** If an individual is identified as a victim of trafficking at any point in the process, do federal law enforcement officers and employees have the proper training and awareness to know how to handle these cases and where to refer victims?

ANSWER: U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations' (HSI) full-time Victim Assistance Specialists (VAS) and collateral duty Victim Assistance Coordinators (VAC) play a critical role in ensuring that trafficking victims

encountered in HSI investigations receive proper care, resources, and referrals to victim service providers. ICE's Office of Enforcement and Removal Operations (ERO) has collateral duty VACs who play a critical role in and work closely with HSI VAS to ensure that trafficking and other serious crime victims ERO encounters receive proper care, resources, and referrals to victim service providers. All VAS and VAC receive training on federal crime victims' rights, as well as principles and best practices for victim-centered investigations. Although VAS and VAC personnel receive additional training in their local area of responsibility, the Victim Assistance Program requires participation in comprehensive biennial training developed specifically for HSI and ERO victim assistance personnel. The most recent training was held in August 2011. The training featured plenary sessions and workshops led by subject matter experts from components within the U.S. Department of Homeland Security, the U.S. Department of Justice, and non-governmental organizations. The training covered critical issues, such as human trafficking victim assistance; Continued Presence; T visa and U visa protocols; victim assistance funding resources at the federal, state, and local levels; appropriate handling of trafficked minors and unaccompanied alien children; maximizing collaborative relationships with victim service providers; and agency resources, such as child forensic interviewing and case consultation. In addition, the HSI and ERO basic training includes an overview on human trafficking and victim witness file control.

- 68. Question:** Lastly on this subject, I would like to ask you about staffing levels at the Human Smuggling and Trafficking Center. As of last fall, staffing was at the lowest levels since the center's inception. What efforts have been made by DHS to address this problem and what is the current status of staffing levels at the HSTC?

ANSWER: The Human Smuggling and Trafficking Center (HSTC) currently is staffed by 16 full-time U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations employees; one full-time U.S. Department of State contractor; one full-time Transportation Security Administration employee; one full-time National Security Agency employee; and one full-time Federal Bureau of Investigation employee who serves as the HSTC's Deputy Director for Intelligence. The HSTC is also supported by the U.S. National Central Bureau of INTERPOL, which is part of the U.S. Department of Justice. U.S. Customs and Border Protection remains engaged with the HSTC full-time and has on-site representation weekly. ICE is currently studying the staffing and workforce needs of the HSTC necessary to ensure future mission success. This study will provide HSTC management with the requisite support staff and skills that are needed from its partner agencies. Formal discussions with partner agencies are expected to begin once the study is completed, which is expected in August 2012.

- 69. Question:** Is the center the most effective use of DHS and interagency resources to combat trafficking or should we be investing in other anti-trafficking programs?

ANSWER: U.S. Immigration and Customs Enforcement strongly believes that the Human Smuggling and Trafficking Center (HSTC) is the most effective use of the U.S. Department of Homeland Security's resources to combat human trafficking. The HSTC is jointly overseen by an interagency steering group composed of the Secretary of State, the Secretary of Homeland Security, the U.S. Attorney General, and members of the national intelligence community. The HSTC integrates federal efforts to combat human smuggling, trafficking in persons, and clandestine terrorist travel. It does this by coordinating law enforcement efforts with foreign governments, while also leveraging cross-governmental subject matter expertise in policy, law enforcement, intelligence, and diplomatic arenas.

Prosecutorial Discretion

- 70. Question:** Through the use of prosecutorial discretion, this Administration has sought to focus only on "high priority" cases. However, experience has shown that national security cases often involve individuals who overstay their visas but who otherwise have no criminal history. The Administration is trying to further limit "criminal convictions" to only those with serious crimes. Under your new policies, what constitutes a serious crime?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) officers, special agents, and attorneys review each case on its own merits in conformity with the ICE priorities described

in ICE Director John Morton's June 2011 memorandum entitled, "Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens" (June 2011 Memorandum). In determining whether to exercise prosecutorial discretion, ICE officers, special agents, and attorneys consider every case that they handle individually to decide whether, based on the totality of the circumstances, an exercise of prosecutorial discretion is appropriate. One of the relevant factors included in the June 2011 Memorandum is the alien's criminal history, including arrests, prior convictions, or outstanding arrest warrants. In considering whether to exercise prosecutorial discretion, negative factors are whether an alien is a serious felon, repeat offender, or has a lengthy criminal history of any kind. The totality of the circumstances examined on a case-by-case basis is considered, not just the type of crime by itself.

- 71. Question:** Who is making this determination? Trained, experienced law enforcement looking the guy in the eye or bureaucrats in Washington who only see that someone was arrested for running a red light?

ANSWER: Within U.S. Immigration and Customs Enforcement (ICE), authority to exercise prosecutorial discretion for civil immigration enforcement matters has been delegated to the following personnel:

1. Officers, agents, and their respective supervisors within the ICE Office of Enforcement and Removal Operations who have authority to institute immigration removal proceedings or to otherwise engage in civil immigration enforcement.
2. Officers, special agents, and their respective supervisors within the ICE Office of Homeland Security Investigations who have authority to institute immigration removal proceedings or to otherwise engage in civil immigration enforcement.
3. Attorneys and their respective supervisors within the ICE Office of the Principal Legal Advisor who have authority to represent ICE in immigration removal proceedings before the Executive Office of Immigration Review (EOIR).
4. The Director, Deputy Director, and their senior staff.

- 72. Question:** Do the bureaucrats get to second guess your frontline folks?

ANSWER: Decisions to exercise (or not exercise) prosecutorial discretion by U.S. Immigration and Customs Enforcement (ICE) officers, special agents, and attorneys are often made in consultation with their respective supervisors to ensure a full and fair evaluation of the facts and circumstances of each case occurs in reaching the ultimate prosecutorial discretion decision. Consultation with first-line supervisors lessens the need for senior officials from ICE headquarters to revisit a decision.

- 73. Question:** What does that do to them and to our public safety?

ANSWER: U.S. Immigration and Customs Enforcement believes the process discussed in questions 71 and 72 is the best approach to further our public safety mission and ensure that these crucial decisions are being made by the most appropriate personnel.

- 74. Question:** What does this do to their morale and their sense of duty to uphold the law?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) believes routine consultations between first-line supervisors and officers, special agents, and attorneys during the prosecutorial discretion case review process does not negatively affect morale or hinder ICE officers or agents' sense of duty to uphold immigration law. ICE Director John Morton's June 17, 2011 memorandum, "Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens," explicitly states that the review for the exercise of prosecutorial discretion does not "prohibit the apprehension, detention, or removal of any alien unlawfully in the United States," nor "limit the legal authority of ICE or any of its personnel" from enforcing federal immigration law.

- 75. Question:** My question to you is, how many times has prosecutorial discretion been used by ICE agents and officers?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) agents and officers exercise prosecutorial discretion (PD) on a daily basis. However, ICE does not track every type of PD. For example, there are instances for which an agent/officer may decide, for a variety of reasons, not to take enforcement action on an individual, or ICE may decide not to detain an individual.

As of February 17, 2012, in fiscal year 2012, ICE's Office of Enforcement and Removal Operations (ERO) had received 1,616 formal requests for PD in the form of a stay of removal. Of the requests for a stay, ERO granted 855. As of February 17, 2012, there were 230 requests for a stay of removal pending adjudication. During the same time period, as an exercise of PD, ERO granted 134 requests for deferred action.

76. Question: How many times has prosecutorial discretion been used by ICE attorneys to reverse the decision of those officers and agents?

ANSWER: U.S. Immigration and Customs Enforcement's (ICE) attorneys do not review the decisions of ICE officers or special agents to independently determine whether the ICE officer or special agent's decision was appropriate.

77. Question: How many requests have you received from illegal aliens or attorneys representing aliens in proceedings for use of prosecutorial discretion?

ANSWER: The Department of Homeland Security (DHS) has been engaged in an ongoing review of thousands of cases currently on immigration court dockets. The goal of this review has been to speed the removal of criminal aliens from the United States. Low priority cases involving individuals who have no criminal records and pose no public safety concerns are being administratively closed. Aliens in proceedings may make a specific request for the exercise of prosecutorial discretion. However, U.S. Immigration and Customs Enforcement (ICE) attorneys conduct reviews of immigration cases for prosecutorial discretion as one of their daily functions in reviewing pending cases independent of any request from an alien or attorney representing an alien. ICE does not separately record the number of specific requests for the exercise of prosecutorial discretion from aliens or their attorneys. So far, the results of the review have been as follows:

Total Cases Reviewed

- As of March 5, 2012, U.S. Immigration and Customs Enforcement (ICE) attorneys, with the assistance of other DHS attorneys, had reviewed 142,212 non-detained cases with approximately 13,175, or 9 percent, identified as provisionally amenable to the exercise of prosecutorial discretion pending the results of background checks.
- As of March 5, 2012, ICE attorneys, with the assistance of other DHS attorneys, had reviewed 23,259 detained cases with approximately 15, or less than 1 percent, identified as provisionally amenable to the exercise of prosecutorial discretion pending the results of background checks.

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE Ander Crenshaw

Director John Morton, Immigration & Customs Enforcement

Committee on Appropriations
Subcommittee on Homeland Security
FY 2013 Budget Request – ICE
March 8, 2012

Detention Facilities

78. Question: On December 15, 2011, Congresswoman Ros-Lehtinen and I jointly signed a letter to you regarding detention facilities in Florida, specifically about ICE’s plan to build a new facility in Southwest Ranches.

In response to that letter to you, Mr. Elliot Williams stated the agency “was unable to comment on the impact that a new detention facility would have on existing detention services in Monroe, Baker, Glades, or Wakulla counties.”

Each of these counties has an intergovernmental agency agreement with ICE to provide for detainees in Florida and acted upon those agreements with ICE to provide the detention facilities ICE required.

Yet, despite their commitment to ICE, many counties have never reached the amount of detainees that they were told to build facilities for – as an example, the Baker County facility was told they would have 400 detainees, and to date, they have never exceeded 300 and run an average of 200 detainees.

Obviously, these local communities, our Sheriffs, and Members of Congress are concerned about the impact a new facility would have on those agreements and the commitments previously made to our counties.

In a follow –up meeting with ICE officials on January 19, 2012 Executive Associate Director Gary Meade assured the Sheriffs that ICE has no plans to cancel any of the Sheriff’s IGAs, and that the new Southwest Ranches / Corrections Corporation of America facility will not affect the Sheriffs’ agreements in the future.

Director Morton, can you please reconcile Mr. Williams statement that the agency “was unable to comment on the impact that a new detention facility would have on existing detention services in Monroe, Baker, Glades, or Wakulla counties,” with Mr. Meade’s comments that ICE has no plans to cancel any of the Sheriff’s IGAs, and that the new Southwest Ranches / Corrections Corporation of America facility will not affect the Sheriffs’ agreements in the future?

ANSWER: On January 20, 2012, U.S. Immigration and Customs Enforcement (ICE) Office of Enforcement and Removal Operations Executive Associate Director (EAD) Mead was afforded the opportunity to clarify the earlier response provided by ICE Office of Congressional Relations Assistant Director Williams at a meeting with the Florida sheriffs, representatives from the National Sheriff’s Association, and the Florida Sheriffs Association along with congressional representatives, including those from your office.

EAD Mead provided an update on ICE’s civil detention needs in Florida, which may be met through the proposed Southwest Ranches facility, while highlighting the importance of our

existing local partnerships. Under ICE's civil detention initiatives, it is often impractical and cost prohibitive for existing Florida partners to renovate their facilities to meet the new civil detention requirements, but ICE will have a continuing need to use the existing Florida facilities to house criminal detainees that are unsuitable for civil detention. Further, EAD Mead addressed the existing Florida facilities in Baker, Wakulla, Glades, Monroe, Collier, Orange, Dade, and Broward Counties and emphasized the critical role that these Florida jails play in supporting ICE's bed space needs. EAD Mead explained that the overwhelming majority of detainees who would populate the proposed Southwest Ranches facility would likely come from the Krome Service Processing Center. ICE intends to continue its existing relationships with local governments well into the future.

79. Question: Can you clarify your position on this – do you or do not anticipate any impact on existing facilities once this new proposed facility comes on-line?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) is fully evaluating the proposed facility in the Town of Southwest Ranches. This includes a careful evaluation of impacts on neighboring ICE facilities. ICE looks forward to promptly providing this evaluation as it becomes available.

80. Question: It is my understanding that the Southwest Ranches proposal would hold 600 detainee beds that are of the same level of security as the ones are counties provide and would theoretically replace the beds currently at Kromes. Yet, none of the current ICE facilities in Florida are at capacity and could certainly collectively absorb 600 detainees. Was there any thought in the budget submission to saving resources by closing Kromes and not building a new facility by using the inventory of beds currently under contract in Florida? Has this option been explored given these austere budget times? If so, what were the conclusions that were reached?

ANSWER: In order to most effectively use resources for providing detention services, U.S. Immigration and Customs Enforcement (ICE) released a statement of objectives in 2010, which established criteria for a detention facility in the Miami area that would best meet the agency's needs.

In reviewing proposals for facilities in southern Florida, ICE considered several factors and objectives, including: proximity to the Miami field office, consolidation of transportation services, daily per diem rates, reduction of pre-decisional detainee transfers between field offices, the availability of ICE office and courtroom space, and conformance with detention reform principles. Locating a dedicated detention facility near the Miami field office, near transportation hubs, such as airports where removals are effectuated, and where most aliens are apprehended, achieves operational efficiencies for the agency, while ensuring aliens are detained closer to their families, as well as to hospitals, consulates, and pro bono counsel. The proposed facility would also have a staging facility designed to efficiently prepare large numbers of detainees for removal, and, as proposed, would be delivered at a price equal to or below the average cost for bed space in the Florida area.

In furtherance of its detention reform initiatives, ICE is also seeking to develop detention facilities that are appropriate for ICE's diverse detainee population and the agency's unique civil detention authorities. These new facilities are designed to provide improved conditions of confinement, appropriate medical care, and access to legal services for ICE's detained population, while reducing costly transfers.

81. Question: It is my understanding that the daily cost average of the new facility would be higher than the current amount ICE pays at existing facilities in Florida. Can you confirm that or is that still under negotiation?

ANSWER: U.S. Immigration and Customs Enforcement has not negotiated a daily cost average (per diem rate) for the proposed facility. Negotiation of the per diem rate will not begin until the federal National Environmental Protection Act [NEPA] requirements have been evaluated and met.

82. Question: Director, the FY13 request includes significant expansion of the Alternatives to Detention (ATD) program – an increase of +\$40 million dollars and 50% more participants. We have often talked about ATD as appropriate for a specific and appropriate population. Can you articulate, within the Administration’s enforcement priorities, who would be appropriate ATD participants?

ANSWER: All aliens who are encountered by U.S. Immigration and Customs Enforcement’s (ICE) Office of Enforcement and Removal Operations (ERO) are evaluated for arrest, custody, or release based on ICE’s enforcement priorities. If it is determined that an alien is not to be held in custody but is still eligible for immigration court proceedings, the ERO officer will then consider whether or not an Alternatives to Detention (ATD) assignment is appropriate. The officer will make an individual risk determination on a case-by-case basis while considering various factors that include, but are not limited to, the alien’s prior supervision history, past criminal history, community ties, health conditions, likelihood of removal in the near future, and current stage in immigration court proceedings. Should an alien score higher on the risk scale and an ATD assignment is determined to be necessary, then a determination is made regarding the level of case management that is required and what the most appropriate technology should be.

83. Question: ATD involves a range of options. Findings indicate that a combination of Full-Service Supervision and Technology are effective in successful removals. Yet, it is my understanding that Full Service numbers have dropped steadily in the last six months while the use of Telephonic Reporting (a once a month phone call) has steadily increased. Removal Rates are high with full service – over 80%, and much less with technology only (GPS and Telephonic Reporting) – around 40%. If my understanding is correct, it sounds like ICE is really just using the lowest cost option, rather than the most effective. Can you respond to that or provide me your thoughts and insights on this?

ANSWER: ICE is seeking ways to improve removal rates for ATD participants by identifying those aliens most in need of ATD monitoring and identifying the most appropriate level of monitoring consistent with available funding. Part of this process includes continual evaluations of those participants who are active in either the Full-Service (FS) or Technology-Only (TO) component to determine whether their current level of monitoring is most appropriate. Factors taken into consideration include, but are not limited to, supervision history, past criminal history, community ties, likelihood of removal in the reasonably foreseeable future, changes in personal circumstances, and current stage in immigration court proceedings.

After assessment, if ICE determines that the higher level of monitoring of the FS component is not necessary, the participant may be recommended for less restrictive reporting. This recommendation may result in a reduction in the level of electronic monitoring (GPS to telephonic reporting (TR)) or de-escalation from the FS component to the TO component. By following these case management practices, ICE is able to more effectively allocate its limited resources to those participants who will best benefit from the FS component, while using the remaining funding to increase participant enrollment in the TO component.

Conversely, should a participant’s circumstances change such that a higher level of monitoring is appropriate (e.g., final order has been issued, the participant has not complied with less restrictive reporting requirements, etc.), the ERO officer may require an increase in technology (TR to GPS) and/or re-assignment from the TO component to the FS component, rather than taking the participant into custody. Based on the current FS component removal success rates, ICE has issued guidance to the field to consider re-assigning those TO component participants who receive a final order or voluntary departure to the FS component until they depart the United States.

84. Question: Can you describe the options that are available and how you would propose to use the options as you expand the program?

ANSWER: There are two components of the Alternatives to Detention (ATD) program: the Full-Service (FS) component and the Technology-Only (TO) component. When ICE assigns a participant to the FS component, the supervision case specialist (CS)—a contractor of Behavioral Interventions, Inc., who operates under ICE’s guidance—creates an individualized supervision plan with the participant during the orientation session. The CS considers the participant’s particular needs with regard to reporting requirements and referrals, and provides case management support that includes, but is not limited to, electronic assignment and monitoring by either a global positioning system (GPS) or voice verification telephonic reporting (TR), unannounced home visits, scheduled office visits, tracking through immigration proceedings, and community-based referrals. Individuals most suitable for enrollment in this component are those who require a higher level of monitoring based on a case-by-case risk assessment review that evaluates several factors, such as the individual’s prior supervision history, past criminal history, community ties, likelihood of removal in the near future, and current stage in immigration court proceedings.

Individuals most suitable for the TO component are those who have demonstrated compliance, are not removable in the near future, or are generally considered to have a lower risk of flight. If a participant is enrolled in the TO component, the ICE officer assigns the appropriate technology (GPS or TR) and performs all aspects of case management, including tracking the participant’s case as it moves through immigration proceedings, resolving electronic monitoring alerts, and enforcing removal orders.

The FS component and the TO component are intended to be complementary in nature—to use the most appropriate level of monitoring and case management for each individual participant enrolled in the ATD program. The FS component is intended for those participants who need a higher level of monitoring during initial participation and when a participant has received a final order of removal or voluntary departure and their departure is foreseeable in the near future.

One of the strengths of the FS component is in ensuring compliance with removal orders. However, most participants spend the majority of their time pending proceedings before the Immigration Judge or with an appeal pending before the Board of Immigration Appeals. During those extended periods of time, those participants who have shown that they are not a flight risk may be de-escalated to the TO component where monitoring is significantly reduced.

As the ATD program expands, ICE will continue to exercise these options in accordance with the Office of Enforcement and Removal Operations’ stated mission and current agency priorities.

85. Question: Do you see a continued increase in the use of Telephonic Reporting?

ANSWER: The distribution of Alternatives to Detention funding (including telephonic reporting) will be determined based on the results of participant assessments and metrics for program compliance throughout removal proceedings.

86. Question: Can you tell us about the Fast Track program?

Answer: The Alternatives to Detention (ATD) Fast Track pilot program, initiated in Baltimore and Miami in January 2010, was an effort by U.S. Immigration and Customs Enforcement (ICE) to expedite the adjudication of ATD cases before the Executive Office for Immigration Review (EOIR). The pilot program was a collaborative effort between the ICE Office of Enforcement and Removal Operations and the Office of the Principal Legal Advisor’s Offices of Chief Counsel. Once a case was identified as an ATD case, ICE attempted to work with its local EOIR docket administrators to prioritize the hearing of those cases. Although the pilot programs are not currently operating in Baltimore and Miami, ICE hopes to continue dialogue with EOIR in the coming year in order to ensure priority non-detained cases are completed as timely as possible.

87. Question: It sounds like the data is not conclusive that Fast Track works to reduce the average length of stay until the ATD participant is removed. Isn’t expansion of ATD on the scale proposed in the FY13 budget premature?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) does not believe that expansion of the Alternatives to Detention (ATD) program is premature. ICE has a finite budget for detention, and not all aliens who are in removal proceedings are appropriate to place in detention. ICE will use additional ATD budgetary resources to track appropriate cases through the removal process to ensure removal of those individuals who receive final orders of removal. Although the Fast Track pilot was suspended, any specialized and expedited docketing, when fully established and fully used, would produce faster results than the current system within the U.S. Department of Justice's Executive Office for Immigration Review (EOIR) where the ATD cases are heard with other non-detained cases. As such, the fiscal year 2013 budget requests \$5 million that can be transferred to EOIR. These funds are requested as part of the proposed expansion of the ICE ATD program to assist EOIR in efficiently processing the cases of individuals on the non-detained docket. EOIR has identified several ways in which the funding may be used to increase efficiencies in processing non-detained cases. EOIR may use the funds to increase the number of immigration court and Board of Immigration Appeals support staff, offset the growing cost of court interpreters, and fund new information technology projects to maximize efficiencies in case filing and processing. In addition, EOIR could use some of the funds to increase docket flexibility by increasing video teleconferencing capability, so that cases can be heard by judges in different locations, and by temporarily deploying judges to hear non-detained cases in multiple locations. In addition, ICE's Office of Enforcement and Removal Operations is working on ways to make the most efficient use of the program at various points in removal proceedings, focusing on both de-escalation and re-escalation at more strategic times in removal proceedings to assist in the removal process.

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE Nita M. Lowey

Director John Morton, Immigration & Customs Enforcement

Committee on Appropriations
 Subcommittee on Homeland Security
 FY 2013 Budget Request – ICE
 March 8, 2012

Personnel

- 88. Question:** Since 2009, federal employees have worked under a pay freeze for rates of pay under the General Schedule.

What impact has this policy had on the agency's recruitment and retention efforts for ICE agents?

ANSWER: The pay freeze has shown no significant decrease in U.S. Immigration and Customs Enforcement's (ICE) recruitment efforts. ICE's mission, focus, and career opportunities continue to make it a viable place for job applicants to seek employment. As an example, when last year ICE posted an announcement for 200 investigators in ICE's Homeland Security Investigations, we received over 17,000 applications. During the U.S. Department of Veterans Affairs' veteran-focused career fair held at the Washington D.C. Convention Center, ICE had over 2,200 veterans come to its recruitment location to discuss career opportunities.

From 2004 to 2008, ICE's attrition percentage averaged 6.6 percent. From 2009 to 2011, the attrition rate average was 5.1 percent.

- 89. Question:** Can you provide the Subcommittee with an analysis comparing ICE's recruitment and retention efforts between 2003-2008 and 2009-2012?

ANSWER: From 2003 through 2008, U.S. Immigration and Customs Enforcement's (ICE) employee recruitment efforts focused primarily on law enforcement positions in the program offices that are now known as Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO). During this time, ICE was taking shape as an organization under the U.S. Department of Homeland Security (DHS), and recruiting was based on approved surges in entry-level positions. Additionally, ICE's recruitment effort, along with its program now known as the Office of Diversity and Civil Rights (ODCR), relied on a shared services agreement with U.S. Customs and Border Protection (CBP). The primary tools used to recruit employees were public vacancy announcements posted on the Office of Personnel Management's (OPM) website, USAJOBS; local job fairs and college visits; and the use of the Federal Career Intern Program (FCIP) hiring authority to acquire sufficient candidates for ICE's law enforcement positions. Public interest in these positions was strong as evidenced by the number of candidates who applied for positions as either HSI criminal investigators or ERO immigration enforcement agents. ICE did not need to use recruitment incentives to attract candidates because the agency was quite recognizable to the public for its law enforcement mission, and it received ample applications for its available positions.

From 2009 to the present, ICE has continued to evolve into a more mature organization within DHS. In 2009, ICE terminated its shared services agreement with CBP and formed its own Office of Human Capital (OHC). In 2010, ICE's recruiting efforts focused primarily on veterans and persons with disabilities. ICE uses the Veterans Recruitment Appointment and Veterans Employment Opportunities Act hiring authorities to hire military service members as they transition from the armed forces to civilian life. ICE also uses the Schedule A appointing authorities and traditional competitive vacancy announcements to recruit persons

with disabilities. During 2012, ICE's recruitment program is officially transitioning from ODCR to OHC.

ICE continues to use many of the same recruitment strategies that were used from 2003 through 2008 (e.g., vacancy announcements, local job fairs, and college visits) to recruit for its critical occupations. Additionally, ICE plans to use the Pathways Program, a new appointing authority under OPM, once it becomes available in 2012. This program will help ICE to continue to fill its critical occupations in the absence of the FCIP, which was discontinued in 2010.

To date, ICE continues to see strong public interest in its law enforcement positions. As recently as June 2011, ICE had 200 law enforcement positions to fill. The agency received more than 17,000 applications for these positions. Additionally, in January 2012, ICE participated in the Veterans Administration's Veterans Hiring event. More than 2,200 veterans visited the ICE display booth to discuss careers at the agency. These careers included law enforcement, mission support, and administration.

From 2003 through 2008, ICE underwent a hiring surge as it began its role as an agency within DHS. Since then, ICE has experienced low attrition percentages. From 2009 through 2011, ICE's attrition rate declined from 5.71 percent to 4.70 percent.

Employee Satisfaction and Retention

- 90. Question:** A recent report by the Partnership for Public Service ranked ICE as number 222 of 240 federal government agencies in overall employee satisfaction. Low office morale and employee satisfaction often result in low retention rates, leading to increased costs associated with training new employees and loss of institutional knowledge.

What steps is ICE taking to improve employee satisfaction?

ANSWER: U.S. Immigration and Customs Enforcement (ICE) takes the results of the Federal Employee Survey seriously. Although ICE was ranked 222 of 240 federal agencies, its attrition rate declined from 5.71 percent to 4.70 percent between 2009 and 2011. Regardless, ICE understands that it has much work to do to raise its employee satisfaction. To that end, ICE is building on its earlier efforts and conducting town hall meetings across the country to solicit employee feedback. These meetings are the start of an ongoing dialogue to help ICE gain an understanding behind the responses. Each town hall meeting begins with Director Morton's video message to all employees that states, "This is your chance to tell me how to do it better. Don't pass it up." Town hall discussions focus on the list of top issues identified in the survey results, and employees discuss what they believe are the root causes.

Once this feedback is consolidated, ICE will look for crosscutting issues and will work with individual offices on tailored solutions. ICE's approach is deliberative. ICE will not simply set up a new training course. ICE will get to the heart of the concerns and will address them within the constraints of the law and its collective bargaining agreements.

Additionally, ICE plans to increase its employee communications through newsletters, awards ceremonies, and placing added focus on work-life balance. These strategies are intended to increase employee awareness and foster more open working relationships at all levels of the organization.

WEDNESDAY, MARCH 21, 2012.

**DEPARTMENT OF HOMELAND SECURITY FACILITIES
HEARING**

WITNESSES

**RAFAEL BORRAS, UNDER SECRETARY MANAGEMENT DIRECTORATE,
DEPARTMENT OF HOMELAND SECURITY**

**TARA O'TOOLE, UNDER SECRETARY SCIENCE & TECHNOLOGY DIREC-
TORATE, DEPARTMENT OF HOMELAND SECURITY**

OPENING REMARKS: CHAIRMAN ADERHOLT

Mr. ADERHOLT. The hearing this morning is called to order.

This morning, we welcome before the subcommittee Mr. Rafael Borrás, Under Secretary for Management for the Department of Homeland Security, and Dr. Tara O'Toole, Under Secretary for Science & Technology.

Thank you both for being here this morning and for coming before our Subcommittee.

Today we will take a closer look at two of the department's major construction projects, the planned new headquarters complex at the former St. Elizabeths site here in Washington, D.C. and the National Bio and Agro-defense Facility, or NBAF in Manhattan, Kansas.

While the two sites serve very different geographical design and mission, they share some key elements. Both are complex and expensive undertakings with multi-year time lines.

These projects are also operating under significantly tighter budgets than anticipated when they were first planned several years ago.

The Department of Homeland Security footprint, which began with multiple legacy agency offices scattered throughout the National Capital Region, has grown and spread in the past decade.

Part of the strategy to shrink and reduce the cost of this footprint is to build a large consolidated headquarters for the department.

This project involves transitioning roughly 14,000 people to a planned 4.5-million square-foot facility in Anacostia on the historic St. Elizabeths campus.

The remaining 24,000 Department of Homeland Security personnel in the capital region will be concentrated at the current headquarters in Northwest D.C. and several component headquarters throughout the area.

After nearly a billion dollars into the project, the principal result will be the completion of a new Coast Guard headquarters allowing the service to move out of the current home at Buzzard's Point next year.

The overall Department of Homeland Security headquarters project was planned to conclude in 2016 with a total cost of approximately \$3.5 billion. But with today's budget constraints, we must take a more realistic look at this large capital investment project and balance delays against possible cost increases.

We will be very interested in hearing today how the department intends to proceed with the consolidation effort. In particular, we would like to discuss whether the Department has looked at any flexible staffing models or use of existing office space to provide alternative solutions to a consolidated, collocated site.

Part of this discussion should touch on what minimum funding requirements must be met in order to justify proceeding with the project, and what responsible alternative pathways exist.

On another front, the National Bio and Agro-defense facility, or NBAF, is to be built in Manhattan, Kansas on the campus of Kansas State University. This facility has been deemed by the Department of Homeland Security to be a critical homeland security need in order to protect the Nation's food and livestock from the worst biological threats posed by animal and zoonotic diseases.

To date, funding has been applied to designs and plans for NBAF, as well as initial site preparation. However, \$90 million in appropriated fund remain unused while a review is conducted of the recently revised risk assessment of the project.

Furthermore, the Administration is conducting a reassessment of the plans and scope of NBAF in light of the funding shortfalls and the delays in the schedule. We want to hear from you today, Under Secretary O'Toole, about this reassessment.

There seems to be little doubt that the country needs a laboratory that can develop vaccines and other countermeasures against these threats, a conclusion reached by the past two Administrations and endorsed by the National Academy of Sciences. The question is: how do we proceed responsibly and at a reasonable pace given the large cost of such a project?

I expect a good discussion today of the risks to our economy from bio- and agro-threats, and of the priority that this project should receive.

It is a challenge to undertake major capital investments while also trying to get our fiscal house in order.

Under Secretary Borrás and Under Secretary O'Toole, I expect to hear from both of you today about how you plan to meet the Department's Homeland Security priorities while also making responsible public investment decisions.

But first, I would like to recognize the Ranking Member of this Subcommittee, Mr. Price, for opening remarks.

[The information follows:]

**The Honorable Robert Aderholt
Committee on Appropriations
Subcommittee on Homeland Security**

Opening Statement:

FY 2013 Budget Request for Transportation Security Administration

Witnesses:

**Under Secretary for Management Rafael Borrás
Under Secretary for Science and Technology Dr. Tara O’Toole**

10:00 AM | Wednesday | March 21, 2012 | B318 RHOB

Hearing is called to order [*gentle strike of gavel*] –

INTRODUCTION

This morning we welcome before the Subcommittee Mr. Rafael Borrás [**BORE-us**], Under Secretary for Management for the Department of Homeland Security, and Dr. Tara O’Toole, Under Secretary for Science and Technology. Thank you both for being here.

Today we’ll take a closer look at two of the Department’s major construction projects – the planned new headquarters complex at the former St. Elizabeths site here in Washington, D.C., and the National Bio- and Agro-defense Facility, or (NBAF), in Manhattan, Kansas.

While the two sites are very different in geography, design, and mission, they share some key elements – both are complex and expensive undertakings with multi-year timelines.

These projects are also operating under significantly tighter budgets than anticipated when planning began several years ago.

DEPARTMENT HEADQUARTERS AND CONSOLIDATION

The DHS footprint, which began with multiple legacy agency offices scattered throughout the National Capital Region, has grown and spread in the past decade. Part of the strategy to shrink and reduce the cost of this footprint is to build a large, consolidated headquarters for the Department.

This project involves transitioning roughly 14,000 people to a planned 4.5-million square-foot facility in Anacostia on the historic St. Elizabeths campus. The remaining 24,000 DHS personnel in the Capital Region would be concentrated at the current headquarters in Northwest DC and at the several component headquarters throughout the area.

After nearly a billion dollars into the project, the principal result will be the completion of a new Coast Guard headquarters, allowing the service to move out of its current home at Buzzard Point next year.

The overall DHS headquarters project was planned to conclude in 2016, with a total cost of approximately \$3.5 billion dollars. But with today's budget constraints, we must take a more realistic look at this large capital investment project and balance delays against possible cost increases.

We will be very interested in hearing today how the Department intends to proceed with its consolidation effort.

In particular, we'd like to discuss whether the Department has looked at any flexible staffing models or creative use of existing office space to provide alternative solutions to a consolidated, co-located site.

Part of this discussion should touch on what minimum funding requirements must be met in order to justify proceeding with the project, and what responsible alternative pathways exist.

National Bio- and Agro-Defense Facility

On another front, the National Bio- and Agro-defense Facility, or "NBAF," is to be built in Manhattan, Kansas on the campus of Kansas State University. This facility has been deemed by DHS to be a critical homeland security need in order to protect the Nation's food and

livestock from the worst biological threats posed by animal and zoonotic diseases.

To date, funding has been applied to designs and plans for NBAF, as well as initial site preparation. However, \$90 million dollars in appropriated funds remain unused while a review is conducted of the of the recently revised risk assessment of the project.

Furthermore, the Administration is conducting a reassessment of the plans and scope of NBAF in light of funding shortfalls and delays in the schedule. We want to hear from you today, Under Secretary O'Toole, about this reassessment.

There seems to be little doubt that the country needs a laboratory that can develop vaccines and other countermeasures against these threats, a conclusion reached by the past two Administrations and endorsed by the National Academy of Sciences. The question is: how to proceed responsibly and at a reasonable pace given the large cost of this project?

I expect a good discussion today of the risks to our economy from bio- and agro-threats, and of the priority that this project should receive.

CONCLUSION

It is a challenge to undertake major capital investments while also trying to get our fiscal house in order. Under Secretary Borrás and Under Secretary O'Toole, I expect to hear from both of you today about how you plan to meet the Department's homeland security priorities while also making responsible public investment decisions.

But first I would like to recognize Mr. Price, our distinguished Ranking Member, for his opening remarks.

###

OPENING REMARKS: RANKING MEMBER PRICE

Mr. PRICE. Thank you, Mr. Chairman.

Welcome to our witnesses this morning.

As you know, after the Department of Homeland Security was formed, it was crystal clear that operating the 22 agencies within DHS from about 50 facilities throughout the metro area was a great challenge. This expensive footprint increased operational costs. It hurt morale and it made it harder for the department to work effectively as a unit. Equally apparent was the alarming condition of DHS facilities throughout the United States such as Plum Island, the animal disease research laboratory in New York, that were aging and in need of serious upgrade or replacement. Clearly for this department to operate effectively, DHS and the Congress needed to invest and still need to invest in upgrading the department's infrastructure.

Almost two years ago exactly, we held a hearing on the new DHS headquarters at St. Elizabeths and the Administration's plan for further consolidating and rationalizing the DHS headquarters footprint. At that time, we were considering a \$3.4 billion master plan that would consolidate a great deal of the department's headquarters on to the west campus of St. Elizabeths with FEMA operating on the east campus adjacent to the hospital.

While there were three phases of construction, all DHS entities were to be moved into the new headquarters by 2016. Much has happened in these two intervening years. And unfortunately for this facility, tight purse strings have slowed DHS's plans to move into the new headquarters and consolidate at least so that the agency might operate in fewer buildings. Now the cost is over \$4 billion and the Coast Guard is the only tenant on the St. Elizabeths campus for the foreseeable future.

The 2013 budget only requests funding to complete the Coast Guard move and for road improvements for access to the campus. It does not include any funding for phase two which was to begin construction for DHS central headquarters and FEMA.

Similarly, the General Services Administration has no funds for this project in their 2013 request nor is there any funding requested for lease consolidation, meaning DHS agencies will continue to operate in scattered locations and often inferior facilities.

A somewhat similar story concerns the replacement of the Plum Island facility. After a highly competitive process, DHS in 2009 selected Manhattan, Kansas to be the location of the new Bio and Agro-Defense Facility, NBAF, at a cost of approximately \$725 million.

The sale of Plum Island was to cover all federal construction costs for this new facility. Construction of NBAF was to begin in 2011 and be ready for operation in 2015. However, three years later, the declining real estate market now predicts that if Plum Island were sold, the proceeds might only cover remediation costs on the island itself. And construction has not even begun for the proposed NBAF facility in Kansas because of concerns about site security and the potential risk of the release of foot and mouth disease virus. It is my understanding that with 65 percent of the design now completed, many of these concerns have been alleviated, but

we are waiting for the National Academy of Sciences to draw the same conclusion based on their ongoing review.

Because of additional design requirements and less funding than originally anticipated, scheduled completion of the NBAF is now ten years away, requiring this subcommittee to make significant infrastructure investments in Plum Island. At the same time, DHS is reevaluating how it may use the NBAF which may alter its cost substantially. This year's budget, therefore, includes no funds for NBAF construction in 2013. It does have \$15 million for critical repairs at Plum Island.

Today I hope we can explore the path forward for both of these important projects. Are we still committed to them? And if so, at what cost and over what time frame?

So, Under Secretary Borrás, Under Secretary O'Toole, we look forward to an enlightening discussion today and I appreciate your appearing before us.

Thank you, Mr. Chairman.

[The information follows:]

Price Opening Statement at Hearing on FY13 Budget for Dept. of Homeland Security Facilities



March 21st, 2012

Subcommittee Ranking Member Rep. David Price

"After the Department of Homeland Security (DHS) was formed, it was clear that operating the 22 agencies within DHS from about 50 facilities throughout the metro area was a great challenge. This expansive footprint increased operational costs, hurt morale, and made it harder for the Department to work effectively as a unit. Equally apparent was the alarming condition of DHS facilities throughout the United States, such as Plum Island's Animal Disease Research Laboratory in New York, that were aging and in need of serious upgrade or replacement. Clearly, for this Department to operate effectively, DHS and the Congress needed to invest in upgrading its infrastructure.

"Almost two years ago exactly, we held a hearing on the new DHS headquarters at St. Elizabeths and the Administration's plans for further consolidating and rationalizing the DHS headquarters footprint. At that time, we were considering a \$3.4 billion master plan that would consolidate a great deal of the Department's headquarters onto the West Campus of St. Elizabeths, with FEMA operating on the East Campus adjacent to the hospital. While there were three phases of construction, all DHS entities were to be moved into the new headquarters by 2016. Much has happened in those two intervening years, and unfortunately for this facility, tight purse strings have slowed DHS's plans to move into their new headquarters and consolidate leases, so that the agency might operate in fewer buildings. Now the cost is over \$4 billion, and the Coast Guard is the only tenant on the St. Elizabeths campus for the foreseeable future. The 2013 budget only requests funding to complete the Coast Guard move and for road improvements for access to the campus. It does not include any funding for Phase 2, which was to begin construction for DHS central headquarters and FEMA. Similarly, GSA has no funds for this project in their 2013 request. Nor is there any funding requested for lease consolidation, meaning DHS agencies will continue to operate in scattered locations and often inferior facilities.

"A somewhat similar story concerns the replacement of the Plum Island facility. After a highly competitive process, DHS in 2009 selected Manhattan, Kansas to be the location of a new National Bio and Agro-defense Facility (NBAF) at a cost of approximately \$725 million. The sale of Plum Island was to cover all Federal construction costs for this new facility. Construction of NBAF was to begin in 2011 and be ready for operation in 2015. However, three years later, the declining real estate market now predicts that if Plum Island were sold, the proceeds might only cover remediation costs on the island itself. And construction has not even begun at the proposed NBAF facility because of concerns about site security and the potential risk of release of foot-and-mouth disease virus. It is my understanding that, with 65 percent of the design completed, many of these concerns have been alleviated, but we are waiting for the National Academy of Sciences to draw the same conclusion based on their ongoing review.

"Because of additional design requirements and less funding than originally anticipated, scheduled completion of the NBAF is now ten years away, requiring this Committee to make significant infrastructure investments in Plum Island. At the same time, DHS is reevaluating how it may use NBAF, which may alter its costs substantially. The budget therefore includes no funds for NBAF construction in 2013 and has \$15 million for critical repairs at Plum Island.

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Price Opening Statement at Hearing on FY13 Budget for Dept. of Homeland Security Facilities

them? And if so, at what cost and over what timeframe? Under Secretary Borras and Assistant Secretary O'Toole, I look forward to an enlightening discussion today."

Mr. ADERHOLT. Thank you, Mr. Price.

We will begin with Under Secretary O'Toole and look forward to your testimony.

OPENING STATEMENT: UNDER SECRETARY O'TOOLE

Dr. O'TOOLE. Thank you, Mr. Chairman, Ranking Member Price.

The DHS Science & Technology Directorate (S&T) today faces a very difficult dilemma as you have outlined. The National Bio and Agro-Defense Facility, or NBAF, is a high-containment laboratory intended to replace the aging Plum Island Animal Disease Center, which was built in 1954 off the coast of Long Island.

NBAF would enable a comprehensive program of large animal disease research in defense of America's trillion-dollar agriculture sector, which faces threats from inadvertent introduction of foreign animal diseases, new and emerging infectious diseases, and agro-terrorism.

Although activities related to NBAF's design have been under way for years and a competitive site selection process resulted in Manhattan, Kansas being chosen as the location of the facility, the financial landscape has changed considerably, calling into question whether and how the department can proceed with the construction of this vital national security asset.

The DHS Appropriations Act of 2009 authorized S&T to offset the full cost of constructing NBAF with the proceeds from the sale of Plum Island. Because of the current fiscal climate, this sale is not likely to yield enough money to pay for NBAF, requiring appropriated funds for construction.

In addition, estimated design and construction costs for NBAF have increased by more than 30 percent from \$725 million in 2009 to \$1.1 billion in fiscal year 2011 as a result of additional safety engineering requirements and delays in the start of construction.

We also face the overall funding constraints of the Budget Control Act of 2011, which is impacting both the department and S&T's budgets.

Given these fiscal challenges and the evolving security threats to U.S. agriculture, DHS has asked the National Academy of Sciences to convene an expert committee to conduct a scientific assessment of the requirements for a large animal, foreign, and emerging diseases research and diagnostic labs in the United States.

We expect this committee to report out in late June of this year, and we will consider the committee's report in future budget requests and in consultation with Congress.

Secretary Napolitano and I believe that the Nation needs a BSL-4 [Biological Safety Laboratory 4] laboratory capable of working with livestock. We are convinced that Manhattan, Kansas is the best site for such a lab. No such laboratory exists in the United States today.

Should we have an outbreak of a foreign animal disease—discover a new infectious disease afflicting our herds that also causes disease in people—or suffer an act of agro-terrorism, the United States would be forced to ask other countries' laboratories to perform the requisite research, thereby delaying response and mitigation efforts with possibly catastrophic consequences.

However, as Under Secretary of S&T, I am also charged with providing scientific research and new technologies needed to ensure and advance the missions of the entire Homeland Security Enterprise.

The severe cuts to S&T's budget in recent years makes it impossible to fund NBAF construction out of the S&T operating budget.

Our fiscal year 2012 appropriation for discretionary R&D [research and development] was 53 percent less than what it was in 2010. Thus, we are potentially faced with the Hobbesian choice of constructing a needed new laboratory that the country requires for pursuing essential R&D for the DHS missions.

This challenge faced by the Directorate in building NBAF is familiar to all civilian R&D organizations struggling to balance research investments with investments in facilities and infrastructure.

One cannot conduct first-rate research and development without modern labs and equipment, but a fully capable lab that lacks the money to actually do research is not much use either.

Scientific innovation is, and has long been, the core of U.S. economy and U.S. national security. It requires investment in both facilities and research. The United States must find a way to robustly fund both of these vital activities in order to maintain the capabilities needed to respond to the diverse threats against which DHS is charged to protect the country.

Now, S&T is the core source of scientific and engineering expertise within the department. Our total budget request this year is \$831.5 million, which compares to \$668 million appropriated in fiscal year 2012.

This budget request would restore S&T to the fiscal year 2011 enacted level and includes \$478 million for research, development, and innovation; the account used to deliver new technologies; operational analyses; and other acquisition assistance to all of the DHS components and the first responder community.

We are the only entity in the U.S. Government that develops technologies for first responders.

I would be pleased to talk about some of the new technologies and activities that S&T has brought to DHS and first responders in the past 12 months and about S&T's work in the systems analysis and acquisition assistance fields that makes DHS components more efficient and effective.

And, of course, we are happy to work with you in pursuing a solution to the difficult problem of building NBAF.

Thank you, Mr. Chairman.

[The information follows:]

U.S House of Representatives
Committee on Appropriations, Subcommittee on Homeland Security
Testimony of the Honorable Tara O'Toole, M.D., MPH
Under Secretary for Science and Technology
Department of Homeland Security
March 21, 2012

Introduction

Good morning Chairman Aderholt, Ranking Member Price, and distinguished members of the Subcommittee. It is an honor to appear before you today to discuss President Obama's Fiscal Year (FY) 2013 budget request for the Department of Homeland Security (DHS) Science and Technology Directorate (S&T). I will describe how S&T, in support of the third largest federal agency in a time of austere budgets, delivers value to make the homeland security enterprise (HSE) more efficient and capable.

The Importance of Balancing Investments in R&D and Facilities

Many emerging fields of science and technology cannot be pursued without major new investments in research infrastructure. Today, when new facilities or major infrastructure repairs are required, agency leaders and Congress often face the choice of having to use research budgets to fund infrastructure costs or pursuing promising research while delaying needed repairs and construction. Shifting research funds to infrastructure often means accepting the loss of existing, not-yet-matured research investments and facing significant opportunity costs. Likewise, because scientific research and technology development do not happen on predictable schedules, these research investments almost always require more than a single federal budget cycle to become mature and productive.

One such example that the Department faces today is the National Bio and Agro defense Facility (NBAF), which was authorized for construction under the Department of Homeland Security Appropriations Act, 2009 (P.L. 110-329, Div. D. Sec. 540) and at the time, was expected to be fully offset by the proceeds from the sale of Plum Island. Since then, the financial landscape has changed significantly. Today, we face the overall funding constraints of the Budget Control Act of 2011 (P.L. 112-25), which are impacting both the Department and S&T's budgets. Additionally, due to the current fiscal climate, the sale of Plum Island is not likely to provide adequate funds in the foreseeable future requiring appropriated funds for construction, and estimated construction costs for NBAF have increased by more than 30% as a result of construction delays and additional safety engineering requirements. At the same time, Congressional appropriations have not kept pace with the costs to build the facility expeditiously.¹ Given these fiscal challenges while considering the evolving security threats to U.S. agriculture, we have asked the NAS to convene an expert committee, in conjunction with the interagency, to conduct a scientific assessment of the requirements for a large-animal foreign and emerging diseases research and diagnostic laboratory in the United States, as described in more detail below.

¹ In the FY 2012 budget, Congress appropriated \$50 million of the \$150 million the Administration requested for NBAF.

While there is no current large animal Biosafety Level 4 (BSL4) facility like NBAF operating in the US, the challenge of building NBAF highlights the challenge faced by all Federal government research and development (R&D) organizations in a constrained budget environment where there is a need for funds to invest in *both* infrastructure and in research. Effective innovation is the core of the U.S. economy and U.S. national security; it requires investment in both facilities and research and development (R&D). The U.S. must robustly fund both of these activities in order to maintain the capability needed to respond to the diverse threats against which the DHS is charged to protect the United States.

U.S. Agricultural Security

Agriculture contributes over \$1 trillion dollars annually to U.S. GDP. One of every eight Americans is employed in the agricultural sector, which includes farmlands, feedlots, processing plants, warehouses, research facilities, factories for food preparation and packaging, and the national and global distribution network.¹ The economic impact of an agricultural biological threat – deliberate or natural – could include direct loss of livestock and assets; losses in upstream and downstream markets; lost export markets; significant price effects; and a reduction in economic growth caused by re-allocation of resources. For example, the estimated economic impact of the 2001 Foot and Mouth Disease outbreak in the United Kingdom was \$11 billion. Quarantines affected large areas of the countryside, devastating the tourist trade. Over six million animals were killed, destroying decades of investment in breeding stocks. Sixty farm owners committed suicide.

Congress as well as past and present Administrations have recognized the importance of this issue to both our national and economic security. The creation of a robust R&D and diagnostic capability to defend U.S. agriculture against agro-terrorism, foreign animal diseases and emerging infectious diseases has been the intention of many federal laws and Presidential Directives dating back to the Homeland Security Act of 2002, which transferred Plum Island from the Department of Agriculture to the Department of Homeland Security and Homeland Security Presidential Directive-9 (HSPD-9) in 2004, which tasked the Secretaries of Agriculture and Homeland Security to “develop a plan to provide safe, secure, and state-of-the-art agriculture biocontainment laboratories that research and develop diagnostic capabilities for foreign animal and zoonotic diseases.”

Potential Large-scale Threats to US Agriculture

As detailed in numerous studies, large-scale threats to U.S. agriculture are likely to arise from one of three main sources: inadvertent introduction of a Foreign Animal Disease (FAD), emergence of a new infectious agent, or deliberate introduction via a terrorist act. There are dozens of endemic diseases overseas not currently found in the U.S., including Foot and Mouth Disease, Classical and African Swine Fever, and many more. The U.S. faces an increasing risk of accidental introduction of such diseases as a result of rapid, large-scale market movements of animals, illicit trade (including smuggling of exotic animals), and northward migration of some insect-borne diseases. Moreover, many of these pathogens occur naturally or are less regulated than human disease agents and hence potentially available to would-be agro-terrorists.

The number of emerging infectious disease events of significance is rising over time due to economic, social, and commercial factors. Between 1940 and 2004, 60% of these new diseases

were *zoonoses*, which are diseases that infect both humans and animals. Examples of recently emerged zoonoses include HIV-AIDs, West Nile Fever, and Severe Acute Respiratory Syndrome (SARS). SARS originated in exotic food animals in China and over a period of several months in 2003, spread to 30 countries, infected 8,000 people, 800 of whom died, and it had an \$8 billion effect on the global economy.

Many lethal and contagious diseases affecting plants and animals are endemic abroad, and hence available. The location of many food animals in open pastures makes them difficult to guard, and the concentration of thousands of livestock in feedlots and slaughter houses facilitates the subsequent spread. International trade in animals and food is frequently linked to certification of disease-free status. Loss of such status – or even rumors to this effect – can quickly stop exports and change consumption patterns.

The decisive factor in limiting damage due to a disease outbreak among U.S. agricultural animals -whether the origin of the outbreak is natural or a deliberate bioterrorist attack - is the ability to rapidly respond to the event. In the absence of effective animal vaccines or countermeasures, killing infected or possibly infected animals is the only option. For some zoonotic diseases such as Rift Valley Fever, the best protection of the human population may be the early detection of the agent in animals and development of animal vaccines.

What a Biosafety Level 4 (BSL4) Laboratory Brings to the U.S. Agro-defense Mission

Over the past decade, multiple expert studies and reports have recommended the construction of a new, state-of-the-art BSL4, high-containment laboratory to replace the aging Plum Island facility and to enable a full spectrum of agro-defense research and development activities^{ii, iii, iv, v}. Such a laboratory would offer several advantages to U.S. agricultural research including the ability to work with dangerous zoonoses on U.S. soil and enhanced capacities for the development of animal diagnostic tests and vaccines.

The Plum Island Animal Disease Center (PIADC), located off the eastern shore of Long Island, New York, has been the key research and development facility in the U.S. for countering agricultural biological threats since 1954. However, the facility does not possess a BSL4 containment capability, meaning that any outbreak of emerging or zoonotic disease requiring this biocontainment level could not involve direct livestock research, which would severely inhibit U.S. response capability. As a BSL3 facility, PIADC has a limited capacity to perform research and development. The current facility lacks the overall capacity to simultaneously work with the number of pathogens USDA and the Institute of Medicine deem “critical.”

The physical facility at PIADC, built in 1954, is at the end of its lifecycle. Significant recapitalization is needed to ensure safe operation of the laboratory. The most urgent repair work includes upgrades to the wastewater thermal decontamination treatment facility, which processes waste from the laboratory prior to it going to the wastewater treatment plant, and repairs to the bulkhead at the ferry dock. If a new laboratory is built, it will take five years to construct- on an expedited schedule- and another two years for accreditation by USDA and CDC. During that time PIADC will require \$60 to \$90 million in facility upgrades to maintain safe operations. DHS S&T is currently conducting an engineering study to identify possible upgrades that may be needed for longer term maintenance and safe operation.

Assessing the Optimal Path Forward for NBAF

To ensure that NBAF is the most effective method to protect our Nation's agriculture infrastructure and public health, DHS, in coordination with the National Academy of Sciences (NAS), is convening a panel of experts and stakeholders, in conjunction with the interagency, to conduct a comprehensive assessment to examine 1) the current threats from terrorism, foreign animals and the global migration of zoonotic diseases to U.S. agriculture; and 2) the project's viability in the current budget environment, evaluating the cost, capacities, and capabilities of the current plan as well as potential alternatives to construct and operate NBAF.

The panel will assess the threat posed to livestock by infectious diseases originating from zoonoses, new and emerging diseases, and bioterrorism while identifying the U.S. laboratory infrastructure needed to counter the threat and meet the public health and food security needs of the United States. A variety of options will be considered by the committee including building NBAF as proposed, modifying the scope of NBAF, as well as maintaining current capabilities at PIADC while leveraging BSL-4 laboratory capacity (for large livestock) through foreign laboratories. Given the extensive site selection process from 2006-2009 and the recently-updated NBAF Site-Specific Risk Assessment, the panel will not revisit the site selection or consider alternative locations for NBAF. However, the panel will evaluate the capacity, capabilities, and liabilities of these options and will provide consensus advice on how the laboratory infrastructure needed to address foreign animal, emerging and zoonotic disease threats could be assembled.

Panel membership will include subject matter experts in animal and human health, the livestock industry, national security aspects of agriculture, cost/benefit analysis, biosafety, biosecurity and stakeholder backgrounds to address key questions pertinent to known and emerging foreign animal and zoonotic diseases relevant to livestock biocontainment.

S&T Directorate's FY13 Budget Request

S&T's FY 2013 budget request is \$831.5 million; this includes \$138 million for Management and Administration, which funds salaries and benefits and business expenses, and \$693.5 million for Research, Development, Acquisition and Operations (RDA&O). RDA&O funds Laboratory Facilities (\$127.4 million), Acquisition and Operations Support (\$48 million), University Programs (\$40 million) and Research Development and Innovation (RD&I) (\$478 million). The RD&I budget is S&T's discretionary R&D. This is the funding S&T uses to deliver needed technology products to strengthen the operations of DHS components and the Homeland Security Enterprise. Within RDA&O, the FY 2013 budget provides \$10 million to complement ongoing research at the Plum Island Animal Disease Center by accelerating research programs focused on zoonotic diseases and emerging foreign animal diseases at Kansas State University.

After S&T's R&D budget was cut by 43 percent in FY 2012, eliminating over 100 ongoing projects, the FY 2013 budget request restores these cuts and includes funding for critical R&D programs to improve homeland security through state-of-the-art solutions and technology. The request supports 107 ongoing projects and 12 new starts reflecting a more robust R&D program capable of delivering new technologies. The proposed R&D funding level in FY 2013 increases by \$212.3 million compared to FY 2012 and restores R&D funding to the FY 2011 enacted level. This increase will enable S&T to support the needs of frontline operational Components and

provide resources to ongoing efforts that are driving towards near-term delivery and transition while resuming R&D work cut in the FY 2012 funding in priority areas such as: Explosives (aviation security), Bio-Threat Security, Cyber Security, and First Responders.

S&T Delivers New Technology and Knowledge Products that Enhance Capabilities across the HSE.

A core focus of S&T is the rapid delivery of new technologies that address the mission needs of DHS components, the first responder community, and (in the case of cybersecurity) industry. Over the past year, S&T has utilized RD&I funding to develop technologies and knowledge products important to a range of Homeland Security activities and customers.

Some examples of S&T's recent technology and knowledge product successes include:

Technology successes

- **The Controlled Impact Rescue Tool (CIRT):** Decreases by 85 percent the time it takes to breach reinforced concrete walls while increasing first responder's control and overall safety. Demonstrated and transferred CIRT to Fairfax County Fire and Rescue, who routinely deploy internationally to assist in rescues from disasters both natural and manmade. CIRT is now commercially available from Raytheon Corporation, which also shared development costs with S&T.
- **DNS Security Extensions (DNSSEC) protocol:** DNSSEC protects internet users from being redirected to malicious websites without knowing it. The Internet uses the Domain Name System (DNS) to translate web addresses from text (for example, congress.gov) to numeric addresses (140.147.249.9). DNSSEC has been adopted by over thirty of the top level domains, such as .com, .org, .us, and .uk. DNSSEC received a national award in 2011 from the SANS Institute for Substantial Cyber Risk Reduction.
- **Virtual USA@ (vUSA):** This information sharing program accesses all levels of government and all types of responders. vUSA is a blend of process and technology that provides a virtual pipeline to allow data (such as the operational status of critical infrastructure or emergency vehicle locations) to be shared by different systems and operating platforms with no changes to the current system. Selected as a White House Open Government Initiative, vUSA is currently in use in 23 states.
- **SportEvac:** This is computer modeling software developed by S&T that provides simulation of evacuations allowing venue operators to determine the safest evacuation and optimum plans and procedures. The Indianapolis Department of Public Safety utilized SportEvac in their security and safety planning for this year's NFL Super Bowl. This technology is covered by the SAFETY Act.
- **Foot and Mouth Disease (FMD) vaccine:** S&T, working with USDA, has developed a next generation vaccine against a strain of FMD. It has been submitted to USDA for a conditional license, a key step towards full manufacturing and use.
- **Commercial Mobile Alert Service (CMAS):** This program provides a national capability to deliver relevant, timely, and geographically-targeted messages to mobile devices. In December 2011, New York City partnered with S&T and FEMA to conduct the first end-to-end test of the CMAS tool. S&T will launch CMAS later this year.
- **Disposable Backboard Cover:** Repurposing the Tyvex™ material used to wrap houses in construction, S&T developed a disposable backboard cover to better protect patients and

responders from disease and contaminants. This product was developed, tested, and commercialized in under eight months.

- Explosives Trace Detection: For checked baggage screening, this next generation device is ten times more sensitive than existing systems, can detect narcotics as well as explosives, and is similarly priced to existing machines. The system is currently undergoing operational testing with the Transportation Security Administration (TSA) and will be commercially available within a year.
- Self-Contained Breathing Apparatus (SCBA): S&T partnered with the Mine Safety Appliance Company (MSA) to integrate and certify S&T's lighter and smaller profile SCBA cylinder array into a full SCBA ensemble that has been tested and certified for use by firefighters. This represents the first major redesign in decades of this critical piece of first responder safety equipment.
- Multi-Band Radio (MBR): To provide a successful coordinated response, emergency responders must be able to effectively communicate with all partners across jurisdictional lines, including local, regional, state, and Federal entities. Until recently, no public safety radio existed that was capable of operating on more than one radio band. S&T developed the requirements for a hand-held MBR that allows first responders to communicate with partner agencies, regardless of the band on which they operate. The first responder communities in Chicago, Illinois, Miami, Florida, and New Orleans, Louisiana participated in highly successful pilots of the technology. S&T's efforts sparked industry interest- MBRs are now commercially available from three manufacturers.
- Geo-spatial Location Accountability and Navigation System for Emergency Responders (GLANSER): A tool which allows incident commanders to locate and track personnel inside enclosed areas. Honeywell, Inc. has begun to commercialize GLANSER.

Knowledge Product successes:

- Analysis of small, dark aircraft: Working in partnership with Customs and Border Patrol (CBP), S&T conducted an analysis and demonstration of CBP's capabilities to detect and track small dark aircraft that are often used to transit illicit materials over the border. S&T's technical input identified how CBP could substantially improve the performance of their air interdiction resources at no additional cost.
- Qualification testing on white powder detector: S&T completed qualification testing for a commercially available system that allows first responders to determine if suspicious white powders contain threat agents. The process relied upon the S&T-developed Public-Safety Actionable Assay standards that ensure local jurisdictions are using technology that meets rigorous specifications for accuracy and sensitivity.
- Storm surge predictions: The Coastal Hazards Center of Excellence (COE) assisted the U.S. Coast Guard (USCG) by tracking the likely storm surge/wave impact of Hurricane Irene. This modeling information led the USCG to relocate its Command Center just before its previous location was damaged by the hurricane.
- Analysis of the SPOT program: The TSA asked S&T to assess the validity of the Screening of Passengers by Observation Techniques (SPOT) program's indicators. The indicators are behavioral cues that TSA agents use to identify individuals that may intend to cause harm or conduct illegal activity. S&T determined that the indicators provided a much more efficient and effective screening method than random searches.

- New standard for explosive detection systems: S&T led development of the Digital Imaging and Communications in Security (DICOS) standard between hardware and software for checked baggage explosives detection systems (EDS). This standard will allow *any* software developer to design detection systems and algorithms to be used in EDS, whereas previously the hardware manufacturers used proprietary code. By enabling private sector competition, this openness greatly increases the level of innovation, fueling increased security and ultimately saving money.
- Recovery and resiliency post-biological attack: The Interagency Biological Restoration Demonstration (IBRD) program was conducted in Seattle in partnership with the Department of Defense's (DoD) Defense Threat Reduction Agency (DTRA) to reduce the time and resources necessary to recover from an anthrax attack in an urban area. IBRD has helped enhance the efficacy and efficiency of recovering large urban areas from biological attack by developing consequence management guidance and establishing key relationships across the federal, regional, and local stakeholders. Its success has resulted in a follow-on program in Denver called the Wide Area Recovery and Resiliency Program (WARPP), in partnership with DTRA and with support from the Department of Health and Human Services (HHS), Department of State, Environmental Protection Agency (EPA), and the Federal Emergency and Management Agency (FEMA).
- Assistant for Randomizing Monitoring Over Routes (ARMOR): A randomization algorithm developed by a S&T University Center of Excellence (COE) used by the USCG to deploy available monitoring assets for maximum impact. The outcome has been a significant increase in capability without any additional staffing costs. The pilot effort in Boston Harbor was so successful that the USCG has moved to a new phase of testing with the Port Authority of New York and New Jersey.

Strong Partnerships with DHS Operators Deliver Results

Apex projects are cross-cutting, multi-disciplinary efforts requested by DHS Components that are high priority, high-value, and short turn-around in nature. They are intended to solve problems of strategic operational importance identified by a Component leader and exemplify the DHS model for working with Components, based on top-level commitment, collaborative partnerships, and multidisciplinary teams.

Each Apex project is codified in a signed charter agreement between the head of a DHS Component and the Under Secretary for S&T. Together, we approve the project's goals and approach, providing a leadership imprimatur that energizes both S&T and the partner organization. The S&T team is then mirrored by an equally able, multidisciplinary team from the partner Component.

The first Apex effort focuses on improving the remote protective operations of the U.S. Secret Service (USSS) and has proven very successful. The team is delivering an operational systems analysis map for better integrating technology with human networks protecting government leaders and designated personnel traveling across the country. USSS Director Mark Sullivan complimented the Apex team, saying "S&T has lived up to and met every commitment it has made to the Service."

S&T Technical Expertise Assists DHS Acquisition Efforts

S&T is working with the DHS Management Directorate to applying its engineering expertise toward development of a more disciplined and efficient approach to DHS's acquisition cycle. In the initial stages of an acquisition, our Office of Acquisition Support and Operational Analysis (ASOA) helps components analyze and translate mission needs into testable requirements, ensuring that DHS procurements work as expected, deliver on time, and develop within budget.

S&T is currently supporting development of CBP's next generation radio project, TacNet. DHS Joint Wireless Program Executive Director John Santo described S&T as "essential for achieving success." S&T is also working with the Under Secretary for Management to expand S&T's role and authority within DHS's Integrated Investment Life Cycle Model. Lastly, in its late stage role in acquisitions, S&T is responsible for operational testing and evaluation of major acquisition programs across DHS and oversees major acquisition programs (e.g. those with total life cycle cost estimates exceeding \$1 billion). In 2011, S&T managed operational testing of eight major acquisition programs, including the National Protection and Programs Directorate's (NPPD) highly successful National Cyber Security Program Block 2.1.

Conclusion

Congress charged S&T with applying similar ingenuity and innovation in service of homeland security. In a world where technology is increasingly becoming a larger part of our lives, it is essential that DHS develop new tools to keep the country safe and secure. Indeed, constant innovation is essential for combating the broad and rapidly evolving threats that confront the Nation. I believe S&T continues to make major contributions to this mission, and I am proud of S&T's record of harnessing science and engineering in ways that meet the needs of our many partners.

The FY 2013 budget request prudently strengthens our security posture by restoring S&T's funding of research investments, ensuring that DHS avoids long term vulnerability in areas such as border security, counterterrorism, and disaster resilience. Effective innovation requires adequate investment in *both* infrastructure and in research. Together, they provide a strong foundation for robust research and innovation in support of DHS's mission to secure our country.

ⁱⁱ Institute of Medicine. *The Emergence of Zoonotic Diseases: Understanding the Impact on Animal and Human Health* (2002)

ⁱⁱⁱ National Academies of Science. *Critical Needs for Research in Veterinary Science* (2005)

^{iv} TERRENCE K. KELLY, PETER CHALK, JAMES BONOMO, JOHN PARACHINI, BRIAN A. JACKSON, GARY CECCHINE. *The Office of Science and Technology Policy Blue Ribbon Panel on the Threat of Biological Terrorism Directed Against Livestock* (April 2004)

^v *Evaluation of a Site-Specific Risk Assessment for the Department of Homeland Security's Planned National Bio- and Agro-Defense Facility in Manhattan, Kansas* (2010), National Academies of Science, Board on Life Sciences (BLS)

Mr. ADERHOLT. Thank you, Dr. O'Toole.
Secretary Borrás.

OPENING STATEMENT: UNDER SECRETARY BORRAS

Mr. BORRAS. Chairman Aderholt, Ranking Member Price, thank you for the opportunity to appear before the committee this morning to discuss our approach regarding our critical facilities needs at the Department of Homeland Security.

I am pleased to provide you with an overview of the department's facilities portfolio and give you an update on the progress of establishing a DHS consolidated headquarters campus at St. Elizabeths.

DHS manages a real estate portfolio of approximately 39,000 assets in all 50 states and seven U.S. territories. The department occupies 96 million square feet of space. Our real property portfolio is diverse in the types of locations and buildings and structures we use.

For example, we lease office spaces. We operate training facilities in North Carolina, Maryland, Georgia, and New Mexico; research facilities off the coast of Long Island, New York; family housing to support our Coast Guard and Border Patrol personnel in areas such as Alaska and Puerto Rico; and finally laboratory space in New York, New Jersey, and New Mexico as well as the metropolitan D.C. area.

We are assessing our portfolio in a number of ways in order to reduce the real estate footprint and increase real property cost savings. This includes looking for opportunities to align our space to be more operationally efficient and to support a more mobile workforce.

We are also evaluating and assessing our own assets for opportunities for collocation, consolidation, accelerated disposals, and alternative uses.

In the National Capital Region, the ongoing program to consolidate the DHS headquarters will increase effectiveness and efficiency, enhance communication, and optimize department-wide mission capabilities.

Our goal is to significantly reduce the number of locations in the NCR with St. Elizabeths eventually housing the core DHS leadership and mission functions.

The first phase of the project includes the U.S. Coast Guard's headquarter building, adaptive reuse of six historic buildings, and 70 percent of the entire campus utility infrastructure.

I am pleased to report that the construction remains on schedule and within budget for all Phase I funded activity.

As the tenant of St. Elizabeths campus, we continue to work closely with GSA [General Services Administration] to reevaluate the program's original requirements in order to achieve the overall goals and objectives at the lowest possible cost to the taxpayers.

It is expected that the future construction work will increase in cost because of the current industry escalation standards. Therefore, future phases will be scoped, costed, and packaged in segments for future budget requests.

For example, the requested funding in fiscal year 2013 for the Interstate 295-Malcolm X Avenue interchange reconstruction in the

west campus access road extension is a critical transportation infrastructure segment that can be executed independently.

This project is an extremely complex engineering and construction effort with elevated road sections and ramp connections that must be accomplished while maintaining continued traffic operations on I-295 and the surrounding streets.

The project is expected to generate approximately 2,900 jobs for the local economy in addition to nearly 11,000 jobs already generated by the U.S. Coast Guard headquarters project.

This construction project is our immediate priority for campus development to ensure adequate traffic support for the Phase II occupancy.

I would also like to note that many of our department's critical operational assets are in need of repair or improvement to increase their efficiency and mission effectiveness. This includes upgrades needed at ports of entry to increase capacity and reduce wait time for visitors and cargo while ensuring our inspection and security functions.

U.S. Coast Guard shore facilities such as piers and maintenance support also need critical repairs and improvements to service our cutters and boats.

Housing for enlisted personnel and military families require continuous improvements as well.

The department's fiscal year 2013 budget request includes a total of \$168 million to support construction, repair, and alteration of our real property assets, the National Bio-Agro-Facilities, and other real estate investment that is vital to supporting the department and operations.

Under Secretary O'Toole provided more detail on the progress of NBAF in her opening remarks.

In closing, I would like to assure this committee that the Secretary and I are working hard to remain good stewards of the taxpayers' money by managing our real estate portfolio in a cost-effective manner.

The men and women who work tirelessly to protect the Homeland deserve and require adequate facilities support to execute their mission.

DHS remains committed to developing a secure state-of-the-art headquarters at St. Elizabeths that supports the department's ability to execute our core mission to protect the Homeland.

We appreciate Congress' continued support for this critical investment and look forward to engaging with this committee to continue to move the DHS headquarters consolidation program forward.

Thank you very much. I would be pleased to answer any questions the committee may have.

[The information follows:]

Statement of Rafael Borrás
Under Secretary for Management
Department of Homeland Security
House Homeland Security Appropriations Subcommittee
March 21, 2012

Chairman Aderholt, Ranking Member Price, and members of the Committee, good morning. Thank you for the opportunity to appear before this Committee to discuss Management initiatives regarding DHS facilities. I am Rafael Borrás, Under Secretary for Management for the Department of Homeland Security. My responsibilities include the management of the Department's facilities and property, and the establishment of a DHS Consolidated Headquarters Campus at St. Elizabeths. I am pleased to appear before this Committee to provide an overview of the DHS facilities portfolio and give you an update on the progress at St. Elizabeths.

DHS manages a global real estate portfolio of approximately 39,000 assets in all 50 states and seven U.S. territories. The majority of property is located in the coastal and border states, half of which are structures, such as towers and antennas. The Department occupies 96 million square feet of space; 44 percent is in 12,000 DHS-owned buildings and 54 percent is leased, including 14 million square feet in 1,300 GSA federally owned buildings.

Our real property portfolio is diverse in the types and locations of buildings and structures we use—everything from leased office space in Oakland to the newly completed Rescue Swimmer Training Facility in North Carolina to research facilities off the coast of Long Island, NY. We have office buildings in major cities and small towns across the nation. We have family housing to support our Coast Guard and Border Patrol personnel in areas such as Alaska and Puerto Rico. Our training centers in Emmitsburg, MD; Glynco, GA; and Artesia, NM include classrooms and student dormitories, and we run one of the five Service academies. We have laboratory space in New York, New Jersey, New Mexico, and in the metropolitan DC area. Our Aids to Navigation serve major navigable inland waters and both coasts, and our communication systems are supported with antennae and equipment facilities throughout the United States, Puerto Rico, Guam, the Bahamas, and the U.S. Virgin Islands.

In response to the President's memorandum on real property from June 2010, DHS established a goal to save \$260 million on its real estate inventory by the end of FY 2012. Through FY 2011, the Department has reported \$187 million in asset sales, operational cost savings and other avoided costs. Most of this amount derived from the disposal of the outdated navigational signal facilities, lighthouses, military housing, and border patrol stations, as well as alteration or replacement of facilities for more efficient operations. Currently, 61 assets with a \$41 million replacement value are in the disposal process. Less than 1.25 percent of the portfolio is vacant property of which 465,000 square feet are pending demolition at the Federal Law Enforcement Training Center and 325,000 square feet are in the disposal process.

In order to effectively and efficiently manage our real estate portfolio we are assessing our portfolio in a number of ways. We are constantly looking for opportunities to align our space to be more operationally efficient while, at the same time, redesigning space layouts to support a more mobile workforce. These actions will reduce costs and improve space efficiency in the future. DHS is also pursuing a reduced real estate footprint and increased real property cost

savings through its Flexible Workplace Strategies (FWS) initiative. For example, in FY 2011, the Office of the Chief Administrative Officer reduced its space foot print in half which resulted in a rent cost avoidance of approximately \$1 million. This was accomplished using flexible workplace strategies; space redesigned using smaller workstations, hoteling, and touch-down spaces; and an aggressive telework program. Our real property professionals are evaluating and assessing our owned assets for opportunities for co-location, consolidation, accelerated disposals and alternative uses. As described below, our approach to the development of the consolidated DHS Headquarters serves as a model for increasing the efficiency of our real estate portfolio to ensure that our real property is built to support our critical mission needs.

The National Bio-Agro Research Facility (NBAF) is another example where we are carefully assessing our requirements and developing the facilities and operations matched to the mission. The NBAF is envisioned as a state-of-the-art bio-safety level (BSL) 3 & 4 facility to enable the United States to conduct comprehensive research, develop vaccines and anti-virals, and provide enhanced diagnostic capabilities to protect our country from numerous foreign animal and emerging diseases.

As Dr. O'Toole describes in her testimony, to ensure that NBAF is the most effective method to protect our Nation's agriculture infrastructure and public health, DHS, in coordination with the National Academy of Sciences (NAS), is convening a panel of experts and stakeholders, in conjunction with the interagency, to conduct a comprehensive assessment to examine: 1) the current threats from terrorism, foreign animals and the global migration of zoonotic diseases to U.S. agriculture; and 2) the project's viability in the current budget environment, evaluating the cost, capacities, and capabilities of the current plan, as well as potential alternatives to construct and operate NBAF.

The President's Budget continues to invest in repair and improvement of our most important operational assets to increase their efficiency and mission effectiveness. This includes upgrades needed at ports of entry to increase capacity and reduce wait times for visitors and cargo while ensuring our inspection and security functions, including detention and removal activities. U.S. Coast Guard (USCG) shore facilities, such as piers and maintenance support, are in need of critical repairs and improvements to service our cutters and boats, in addition to housing for our enlisted personnel and military families. To support these recapitalization efforts in order to strengthen our operations, the Department's FY 2013 budget request includes a total of \$168 million to support construction, repair, and alteration of real property assets.

In the National Capital Region (NCR), the ongoing programs to consolidate the DHS Headquarters will increase effectiveness and efficiency, enhance communication, and foster a culture that will optimize Department-wide prevention, response, and recovery capabilities. The Administration remains committed to a consolidated Headquarters in Washington, DC, and will continue to work with Congress to advance consolidation while maintaining frontline operations during these challenging fiscal times. Our goal is to significantly reduce the number of locations in the NCR with St. Elizabeths eventually housing the core of DHS leadership and mission functions.

The original plan, as coordinated with the GSA, OMB, and Congress, proposed to complete the full development of St. Elizabeths in 2016. The first phase of the project includes the USCG Headquarters building, adaptive reuse of six historic buildings, and 70 percent of the entire

campus utility infrastructure. The construction remains on schedule and within budget for all funded Phase 1 work.

We continue to work with GSA to re-evaluate the Headquarters Consolidation program's original requirements to achieve the overall goals and objectives at the lowest possible cost to the taxpayers, and we welcome the opportunity to collaborate with Congress to develop a viable path forward for the successful completion of the program. It is expected that future construction work will increase in cost due to current industry escalation standards, which indicate annual increases between 5 and 12 percent through 2017. Future phases will be scoped, costed, and packaged in segments and submitted in future budget requests.

The President's FY 2013 Budget Request reinforces this commitment by requesting funding for the Interstate 295/Malcolm X Avenue Interchange Re-construction and West Campus Access Road extension, a critical transportation infrastructure segment that is vital to support the USCG and future DHS occupancy. This segment will improve access from I-295 directly into the campus for the Coast Guard and provide construction access to St. Elizabeths, as well as improve access to Joint Base Anacostia-Bolling (JBAB) and the greater community.

The interchange reconstruction is an extremely complex engineering and construction effort with elevated road sections and ramp connections that must be accomplished while maintaining the primary daily access for more than 13,000 JBAB employees. It must also allow continuing traffic operations on I-295, Malcolm X Avenue, and South Capitol Street. The project is expected to generate approximately 2,900 jobs for the local economy, in addition to the 10,600 jobs already generated by the USCG Headquarters project. The interchange reconstruction is our immediate priority for campus development to ensure adequate traffic support for the Phase 2 occupancy.

With limited appropriations extending the schedule for St. Elizabeths, the Nebraska Avenue Complex (NAC) will continue to serve as the Department's Headquarters for the near-term. The President's Budget seeks funding to continue maintenance, repairs, and targeted improvements to the NAC. The purpose is to increase the space efficiency, safety, and security of the campus. In FY 2013, we are requesting \$5.5 million to install a campus-wide emergency notification system, upgrade shelter-in-place locations throughout the campus, and improve other operations and maintenance efficiencies. We plan to retain the NAC after St. Elizabeths is completed to serve as one of the Headquarters anchor locations for mission support functions.

The St. Elizabeths Campus offers a tremendous opportunity to create a secure, state-of-the-art Headquarters that supports the Department's ability to remain focused on our core mission—to protect the homeland. We appreciate Congress's continued support for this critical investment and look forward to engaging with this Committee to continue to move the DHS Headquarters Consolidation program forward.

In closing, I would like to assure this Committee that DHS is working hard to remain a good steward of the taxpayers' money by managing our real estate portfolio, both Government owned and leased, in a cost effective manner. The men and women who work tirelessly to protect the homeland deserve and require adequate facilities support to execute their mission.

Thank you very much. I would be pleased to answer any questions the Committee may have.

ST. ELIZABETHS PROJECT: COST ESTIMATES

Mr. ADERHOLT. Thank you, Secretary Borrás.

Let me begin with you. As we have talked about earlier and has already been mentioned, the fiscal year 2009 total for St. Elizabeths project included both Department of Homeland Security and GSA and was forecast to cost \$3.45 billion to be completed by the end of fiscal year 2016.

What are your current cost estimates and project completion time frames taking in account the fiscal year 2012 enacted amount and the fiscal year 2013 request?

Mr. BORRAS. Mr. Chairman, the original cost estimate, as you correctly identified, was \$3.45 billion, \$1.4 billion of that is already funded to move the headquarters of the Coast Guard and to make major utilities and infrastructure improvements to the site.

We have recently conducted another cost estimate that was based on projections that have us completing the project approximately in 2022, 11 years, at a cost of about \$4 billion.

I would like to, though, take a moment to say, you know, our approach due to the very difficult fiscal times has to be modified. So what we are doing now is looking at the future development of that campus in much more what I would call reasonable or segmentable projects.

The most unfriendly part to a construction project is time. The loss of time is the greatest factor of the increase of the cost of the project. But breaking the project into smaller segments of approximately \$300 million for each segment is what is driving that time and that cost increase.

So clearly we look forward to working with this committee to better articulate how we would plan out those segments, those useable segments so that we can incrementally build out the campus in a much more fiscally responsible manner.

Mr. ADERHOLT. So you use the date 2022, is that what you said?

Mr. BORRAS. That is correct.

Mr. ADERHOLT. That will be completion of the entire—

Mr. BORRAS. That would be our projection for the entire campus.

Mr. ADERHOLT. What are the principal factors, such as the scope changes, site conditions, or inflation, that you attribute to cost increases and schedule delays?

Mr. BORRAS. Mr. Chairman, as the committee knows, prior to joining DHS, I spent ten and a half years in the design and construction industry, and I know construction projects well.

The major factors—let me talk first for just a brief moment about the first phase, the 1.4. That project has been executed on budget and within schedule in large part because of a very good construction bidding climate. The last several years have been good for construction bidding and have allowed us to maintain good control over the cost.

I give GSA a tremendous amount of credit for doing a very, very good job of helping us keep the scope in line. So we have had no major scope increases, which is, again, a very unhealthy part of construction projects.

The original assumption for the campus was to house 14,000 employees of the National Capital Region on this campus. We are now

looking. Recognizing that we are going to be much more fiscally challenged, we are looking at that campus, the original assumption of that 14,000, and reevaluating whether or not through use of aggressive tele-work, alternate work space, more efficient use of space, if we could actually get more people on the campus, more than 14,000. That would have an impact on our ability and our requirements for a lease space.

But it still requires us to segment the project in smaller pieces to be able to build it in a way that we can afford it. The biggest challenge moving forward for DHS is being able to find money in our operating budgets to set aside for these very, very important necessary infrastructure projects.

But I can assure you what we are doing moving forward is trying to find a way that we can segment the projects in easily and bid-dable chunks that will allow us to manage the cost. Time is not our friend.

And as the economy improves, the Association of General Contractors of America, they have produced an estimate that shows anywhere from about an eight to ten percent increase over that time period of construction cost. That is due, of course, to both time, materials, and labor.

So those are factors that we did not have to encounter in the first phase that we will no doubt encounter as the economy continues to improve and the construction market becomes more viable.

Mr. ADERHOLT. Fiscal realities of tighter budgets have dramatically changed the department's plan for St. Elizabeth with about \$1 billion less appropriated for the project from the Department of Homeland Security and GSA appropriations from the past two years and the fiscal year 2013 request to only complete access roads which is primarily for the future development and not even the coast guard access.

Was the fiscal year 2009 total program cost and schedule based on a full funding for the life of the program?

Mr. BORRAS. That is correct.

ST. ELIZABETHS PROJECT: SCOPE AND COST ALTERNATIVES

Mr. ADERHOLT. Did the Department develop alternatives to the scope and cost of the program should full funding not be enacted?

Mr. BORRAS. Well, that is exactly, Mr. Chairman, what we are looking at now. As I mentioned earlier, we are taking a look at the occupancy of St. Elizabeths.

Mr. ADERHOLT. Upward of 14,000 personnel?

Mr. BORRAS. Upward. We are also looking—a very important part of this plan also included the consolidation of leases in the National Capital Region, where we were consolidating in excess of 50 different leases down to a much, much smaller number as we move 14,000 people into headquarters.

Now we have to look at our lease plan and look at that consolidation because it was planned to be completed by 2016. Now as the project will be elongated, again, we are using the same approach.

We are looking at our lease needs, looking at places where we can collocate functions in the interim while we are waiting for the campus to be completed. Additionally we are looking at how we can increase the use of, again, flexible work arrangements and tele-

work, to reduce the space needs so that we do not have to lease an equivalent number of square footage as we have today.

So all of these plans will be reflected on our fiscal year 2014 budget submission next year, but I can assure you and I can assure this committee that that is exactly what we are looking at.

We recognize that we will be challenged to fully fund this project as planned. So we are looking at organic ways, ways in which we can reduce our footprint and maximize the use of space like getting more people into the campus in excess of the 14,000.

There are many personnel in our department who are very mobile, Mr. Chairman, who do not spend all day at their office. So we are really challenging this assumption that we need to provide dedicated office space for individuals who are not in their office eight hours per day. And that requires use of hoteling space, sharing of space, better use of technology to facilitate that.

So these are all the things that we are looking at now so that we can present a new plan in the fiscal year 2014 budget that shows smaller segments. We are looking to reduce our footprint.

Mr. ADERHOLT. A couple things before I go on to Mr. Price. How do you fund a lease consolidation?

Mr. BORRAS. Well, we had originally proposed and had in our plan a mission support consolidation prospectus, which would have needed \$268 million to fund. We have canceled that procurement. And I would tell this committee that we are working very hard now to try to deal with that organically.

So rather than look for new money for a new lease plan, we are going to try to live within our means, again, by realigning people, offices, spaces, collocation, look at where we have unused space to try to live within our budget, existing lease budget to be able to deal with our lease needs.

So it is my hope that for our revised plan, we will not need additional monies to deal with our lease cost, that we can generate internal savings through both the disposal of property that we do not need and more efficient use of existing property.

Mr. ADERHOLT. I find it intriguing you are talking about trying to add more than 14,000 personnel. In a ballpark figure, how many more staff members could the facility support?

Mr. BORRAS. Well, we have some very rough estimates and I will give you a ballpark today. Clearly with the 2014 submission, we will have that plan revised. But around 17,000 people is not out of the question. But, again, that will require us to change the way we think about work, where we work, how we work.

We are following the lead of our good friends at GSA who are doing very aggressive things in terms of utilizing space at their own headquarters, for example. So we are looking at other departments and seeing what they are doing, other agencies, and we will use those best practices in our plan.

Mr. ADERHOLT. Thank you.

Mr. Price.

ST. ELIZABETHS PROJECT: HIGHWAY INTERCHANGE FUNDING

Mr. PRICE. Thank you, Mr. Chairman.

I appreciate the testimony that both of you have brought today and the sense of realism that both of you display. You are adapting to situations that none of us anticipated a few years ago.

I do think, though, sometimes we speak of the budget climate or shrinking budgets as though this was some kind of external, almost planetary force that no one had any control over. To some extent, we do have to adapt to these things and to a considerable degree, our control is limited, but we still have choices. You make choices. We make choices.

If a Member of the House of Representatives on the floor comes up with an amendment and decides that the headquarters construction budget is a place to turn for kind of a cash infusion for something else that he favors, that is a choice. That choice has gone on for way too long in the debating of homeland security bills—this notion that somehow the headquarters funding, construction funding, or for that matter any front-office funding is fair game.

So we are constrained, but we also do make choices and we need to make intelligent and rational choices in terms of understanding what is at stake here. And what is at stake in terms of this headquarters construction is a less efficient and effective department. And to say this does not affect the front-line missions, we are kidding ourselves. Absolutely this needs to go forward. It needs to go forward, yes, with some adjustments and adaptations. But it does need to go forward.

And, Under Secretary O'Toole, I think your case is perhaps even more compelling. We definitely make choices with regards to the Science and Technology budget. In my opinion, in the last Congress, we made some unwise choices. So I commend you for your vigorous advocacy for not an extravagant budget by any means, but a budget that will let you perform your missions and support the missions of the Department of Homeland Security.

So these are choices. That is why you are here today. That is why we are having this hearing, because we need to weigh these choices in terms of the full range of needs that we must address.

Mr. Under Secretary, let me follow-up on the Chairman's line of questioning here. I understand your answers with respect to the altered time line for completion of the altered cost figures. I wonder if you have anything along the lines of what I have been saying in terms of the potential cost savings and the efficiency gains that consolidation would produce. I mean, that surely should enter the equation.

And then recognizing that we are facing declining budgets and with no funding requested for phase two construction in the 2013 budget, I guess we are looking at the Coast Guard being the only tenant of this facility for the foreseeable future. What can you tell us about when we actually would be taking occupancy under your altered time frame for central department headquarters and then other components to follow?

Also, just quickly, I do not understand exactly how this highway interchange funding is working and why this suddenly falls entirely on DHS. The highway interchange into St. Elizabeths has been part of the GSA budget as I understand it, yet you are being asked to fund it this year. Why not GSA? Why not the Department

of Transportation? Wouldn't these funds that you are requesting be better applied toward phase two construction?

Mr. BORRAS. Congressman Price, again, thank you very much for the question. Let me address the latter first, the interchange.

The interchange is an \$89 million project that is more than just 3.6 linear miles. It includes six bridges and several off ramps. So it is a very complex engineering project that is scheduled to be completed in 24 months.

The project is integral to the existing Phase I project and the occupancy of the Coast Guard. We will be bringing 3,700 employees on a daily basis in and out of that campus.

Additionally, Joint Base Anocostia Bolling, which is across 295 and uses many of the same access and egress roads, will probably have in excess of 10,000 people who will be using this interchange as well. So it is a significant transportation, people movement issue certainly not just for people. There will be a lot of goods and services, foods and supplies. So there will be a lot of deliveries made into the campus.

So this is an integral part of the project. So you are absolutely correct. It is part of the original plan. And we view this as a useable segment, something that is a direct benefit to our first phase occupancy, and we had chosen to fund that in the DHS budget.

CRITICAL INFRASTRUCTURE NEEDS

To your broader question, absolutely, we are being asked to make some very difficult choices. I agree that oftentimes we artificially pit the front line against the operations. That is sort of unfair or may be characterized as a false choice.

All the men and women in the department, those who perform accounting services, those who provide real estate and construction services and procurement services are part of the front line of the department, helping to execute our daily mission. And it is very, very important.

If you look at DHS's just immediate critical infrastructure needs, the two that we are talking about today, St. Elizabeths and NBAF, together are a multi-billion dollar investment, but it speaks to only two investments the department has to make.

In our 2013 request, for example, you will see a request for the department to build a very necessary icebreaker for the Coast Guard. Although that is not a today issue, that project will cost by most estimates, could be another billion dollar investment. And that is another, again, badly needed resource for the country and certainly for the Coast Guard.

But coming together, we have billions of dollars of infrastructure investments. This Committee has been greatly supportive as has been the whole Congress to the Coast Guard and the investment in national security cutters. We propose in the fiscal year 2013 budget building a sixth national security cutter.

I can tell you that our shore facilities need to be improved in order just to house those national security cutters. We do not have proper dock space. These are a different size ship, so we are investing billions of dollars in national security cutters. But we are finding it very, very difficult to find dollars to fund the shore facilities to house those.

The men and women work and live in very, very difficult conditions. Those facilities need to be improved and modernized.

Our land ports of entry, 30 of our land ports of entry average 44 years of age. It does not reflect the needs of homeland security and border patrol today in terms of being able to provide detention facilities, facilities for egress and ingress, for cargo inspection. We have tremendous facility needs, and we have to make some very, very difficult choices at the department.

ST. ELIZABETHS PROJECT: SCHEDULE FOR MOVING DHS COMPONENTS

Mr. PRICE. I know my time is expiring. I want you to focus, though, on my specific question about how many years is it likely that the Coast Guard is going to be the only occupant of the St. Elizabeths campus. And under your present time frame, when will additional components be actually moving in?

Mr. BORRAS. Yes, Congressman, I did not address that question. So the next useable segment that we are going to be proposing in fiscal year 2014 is to move headquarters to populate the center building, which will move about another four or five hundred people onto the campus; that is the Secretary and all of the secretarial support.

We think that makes a tremendous statement of the commitment that this department is making to St. Elizabeths as well as our operations center, which will consolidate our transportation security operations center, the TSOC, FEMA's [Federal Emergency Management Agency's] operations center, and our national operations centers, NOC, which is currently at our Nebraska Avenue campus.

And that will also include another several hundred people. So that is the next segment.

Mr. PRICE. I know it is the next segment, but when— and presumably that is part of next year's appropriations request. Under that time frame, when does all this happen? When do these segments actually move in?

Mr. BORRAS. Well, if we were able to receive the full funding in 2014, it will probably take in excess of 36 months to complete and move everybody in. So you are looking at 2017.

Mr. PRICE. Thank you, Mr. Chairman.

Mr. ADERHOLT. Thank you, Mr. Price.

Secretary Borrás, last summer your staff briefed our Subcommittee staff on plans for the one to three year schedule "extension" for "DOC B", the part of the project which includes the Department of Homeland Security component operations centers and FEMA elements.

This assumed you would receive the full funding requested in the President's fiscal year 2012 budget, which of course did not happen. If we then add to this the longer delays for phase three—completing the move for Department of Homeland Security component elements—it looks like these follow-on efforts will be delayed for at least five years.

What is the current priority list of DHS components that you would like to move to St. Elizabeths, and how have your schedule and cost estimates changed all the different elements?

Mr. BORRAS. Well, the revised estimate that we provided last year of \$4 billion with completion in 2012 assumes a phasing in

over that 11-year period of time based on our reasonable assumption of available funding on a year-to-year basis.

So the first next segment to come in, as I mentioned to Congressman Price, would be headquarters and the completion of the dock. We are currently looking at our lease portfolio; you have components like Customs and Border Protection, ICE [U.S. Immigration and Customs Enforcement], FEMA that are in current leases right now.

We have to sort of re-figure that lease phasing and look at which leases are set to expire. We have to look at the cost of renegotiating those leases if they are even available. So it is a very, very complex web of movement that has to take place between looking at existing leases.

I cannot forecast for you today exactly a timetable because I do not have a good forecast on what my available funding stream would be on a year-to-year basis moving forward.

This project was originally intended to be funded both by GSA appropriations and Homeland Security. Currently GSA has not been receiving any funding for, not just St. Elizabeths, but virtually any, construction projects nationwide. So I cannot tell you today exactly what I can count on in funding from GSA.

Mr. ADERHOLT. Is my understanding correct that 87 percent of the headquarter leases will be expiring around 2016?

Mr. BORRAS. That is correct.

NATIONAL BIO AND AGRO-DEFENSE FACILITY: BIOLOGICAL SAFETY
LEVEL 4

Mr. ADERHOLT. Dr. O'Toole, let me turn to the NBAF for a minute. It seems likely that your "reassessment" of the time line and scope of the NBAF may result in adjustments to the current plan and budget for the project, if not the overall scale of the project. Certainly there are some impacts on cost and schedule given current and near-term funding.

Do you agree with the National Academy of Sciences' findings that there is no practical alternative to have a BSL-4 facility in the country that can do the necessary research on disease, especially for foot and mouth and zoonotic diseases?

Dr. O'TOOLE. Yes, that is my impression. There are a number of pieces moving on the board, not quite planetary forces, but certainly fairly inexorable ones that we are going to have to contend with.

One is the increased movement of people and animals around the globe, which increases the chances of foreign animal disease being introduced.

Another is the increase in population and the increased appetite for meat. It is projected that by 2050, the world is going to consume a 73-percent increase in its current consumption of meat. So, again, more movement of animals, more animals being raised for food, and so forth, again, raises the possibility of foreign animal diseases coming into the United States.

In addition, there are more and more new infectious diseases being discovered in the world probably also as a consequence of population pressures. We have 26 mega cities, cities with populations of more than ten million now, where humans live very close

to animals, often in conditions of poor sanitation and nutrition, setting up almost petri dishes that give you ideal conditions for bugs to move from animals to people and spread around the world as we saw with SARS [severe acute respiratory syndrome] in 2003.

About three-quarters of the emerging diseases that we have discovered in the last couple of decades affect both animals and people. For example, a new pig virus was discovered in the last couple of months; we will not have any place in the United States to safely work with these diseases unless we have human vaccines and treatments against them, which is generally not the case.

We will have to deal with diagnosing those emerging diseases and developing vaccines and treatments against them off our borders. I would contend that that is not a good policy for defense of such a vital sector of our economy.

And, thirdly, there is the problem of agro-terrorism, which already encounters no technical barriers and, because of the way we farm and the way we concentrate animals in feed block and then the way we rapidly distribute our food stocks to many areas all at once, the chances of one of these diseases afflicting us are going up.

So for me, it is clear we have to have the capacity to do the science needed to detect, prevent, if possible, and treat, if necessary, these diseases. Any delay in doing that is going to cost us dearly in the event.

The fairly recent 2002, I think it was, outbreak of FMD [foot-and-mouth disease] in England was a multi-billion dollar event, I think it was a \$7 billion cost to the country and more than six million animals were killed. They have ten million cattle. We have a hundred million.

So the scale of what kind of catastrophe we may be facing is much greater for us really than for any other country. So not to have this lab seems wrong to me speaking as a scientist.

But this dilemma of how do we fund research and yet afford the capital cost of building new research facilities is one I think we have to find a new solution to. It is afflicting all of the science agencies. I have talked to my colleagues. Everyone has similar problems.

You might be interested to know that the National Science Foundation some years ago, which is constantly confronting this dilemma, decided to split its budget into two pieces. It has a capital cost fund much as DoD [Department of Defense] does, and it has a research and development fund.

It does not fund all of the capital costs it would like to invest in in any given year. It has to set priorities. But it also does not have to syphon all of the R&D monies away to build a new telescope.

And I think we have to find some arrangement going forward to fund U.S. science and still maintain top-level infrastructure.

NATIONAL BIO AND AGRO-DEFENSE FACILITY: BIOLOGICAL SAFETY LEVEL 4 ALTERNATIVES

Mr. ADERHOLT. The "production" element of NBAF, or its capacity to serve as a producer of vaccines for large events or for potential terrorist attacks, is something that might be delayed or downscaled. However, this is precisely the capacity that would be needed were an event to happen.

Are there any real alternatives to having that capacity built into the NBAF?

Dr. O'TOOLE. Well, that is one of the things that I think the National Academy of Sciences will be looking into. There are obvious production and efficiency advantages of building a good manufacturing processes vaccine facility right on site. You can move faster. You can do more vaccines at once.

It might be possible to move that nearby but off site. Maybe we can get some private-sector investment in that sort of facility. That is the kind of thing that we are looking into.

I mean, NBAF was designed to be very efficient and part of that is its increased footprint and ability to do more than one thing at a time, which we cannot do at Plum Island right now.

Mr. ADERHOLT. Mr. Price.

NATIONAL BIO AND AGRO-DEFENSE FACILITY: REASSESSMENT

Mr. PRICE. Thank you, Mr. Chairman.

I am listening to you carefully when you talk about the problem across government of these looming capital expenditures that are basically being traded off against the mission expenses, the operating expenses, or the front-line expenses as they are sometimes called.

And you are right. That deck is stacked. That deck is stacked very seriously against the longer-term investments that need to be made on a number of fronts including most certainly the ones we are talking about here today.

We do not have a formal way of separating these capital expenditures from other aspects of the budget. But it does fall on this Subcommittee, I think, and other appropriations Subcommittees to make practical distinctions and to strike a balance that lets us figure some way to move forward with these pressing needs.

I want to turn to NBAF and as you know and as you have said, the case for this new bio safety, Bio Safety Level 4 laboratory was made by the preceding administration and has been reiterated by your administration. You have appointed a stakeholder task force—

Dr. O'TOOLE. Uh-huh.

Mr. PRICE [continuing]. To revisit some of these questions, I assume. And I wonder to what extent you anticipate the conclusion might be in any way different.

And then we also have the National Academy of Sciences' review. I have put great stock in that from the beginning of this project.

I think these hard questions about the safety and security measures being built into the new facility simply have to be addressed and I think everyone involved has a stake in having that conclusively addressed before we move forward, for example, with the obligation of funds for the utility plant or anything else. I think these questions need to be resolved.

So I wonder if you would elaborate on the work of these two bodies, what you are looking for from them, what the time table is for these reports, and what is contention on these reports.

Dr. O'TOOLE. The stakeholder task force, which is in Manhattan, Kansas, and meets oftentimes in Kansas, is intended to get the local community leaders familiar with what we are doing with

NBAF and seek their advice and feedback on whether we are going in the right direction or not, what the tradeoffs are, et cetera, et cetera.

And we also try to keep them informed of decisions being made in DHS as well as, of course, update them on the risk assessment results done by DHS and by the National Academy of Sciences.

There are two National Academy of Sciences committees working now. One is reviewing our site-specific risk assessment and that will be done within the next few months. The second is the newer committee which is reviewing the mission need for NBAF. And—

Mr. PRICE. Maybe I am confusing that latter one with the stakeholder review.

Dr. O'TOOLE. Could be, yes, yes. Okay. They are not directly related, but stakeholders including, for example, USDA [U.S. Department of Agriculture] and industry representatives will be heard from by the NAS committee looking at the mission need for NBAF.

Mr. PRICE. Well, the question I have about the stakeholders obviously applies to the second National Academy effort and that is really what I would appreciate your addressing, namely the basic case for this facility, what it would do, the scope of work.

And, of course, the question that comes to mind is, do you anticipate that this may have evolved or changed?

Dr. O'TOOLE. So what we are saying to the National Academy of Sciences is, look, this is our understanding of the threats that we are supposed to be countering. Here are all our documents. Here is what we, we being USDA as well as DHS, think the problem is that we are solving with NBAF. Here are our plans for NBAF.

We have three questions for you. Should we build NBAF as designed? Do we need to build NBAF as designed?

Secondly, is there some way we could build a scaled down, less expensive NBAF or maybe build it in segments or maybe ask the private sector to take on parts of the cost or get third-party financing? Basically can we build a less capable NBAF and still get what we need for the Nation? Okay. What would the tradeoffs be?

And, thirdly, can we get away with not building a new facility? Could we stay at Plum Island and go overseas for the research that we would need in the event of a new emergent disease, zoonosis or an agro-attack, et cetera, et cetera?

Those are the three things we are asking them to consider on a very short time frame. It is a very august committee. These people already know a lot of these issues, and many of them are familiar with the design and so forth from the risk assessment.

So it is a very narrow scope of work. They are not going to opine on site selection. If we build NBAF, it will be in Manhattan, Kansas.

Mr. PRICE. No. It is a narrow scope of work in that sense, but on the other hand, it is a very broad scope of work in terms of—

Dr. O'TOOLE. Yes.

Mr. PRICE [continuing]. The fundamental questions you are asking and the potential to alter greatly the nature of this project. Are you anticipating that they will basically affirm the course you have been on?

Dr. O'TOOLE. It is always dangerous to anticipate the results of an independent National Academy of Sciences study, particularly for the record.

I actually do not know what they will say. I think most scientists are very familiar with this dilemma, and they understand that a lab with no money to do research is of little use.

So I think they will be very thoughtful. You know, maybe they will give us some insights we have not been able to glean on our own, but I actually do not know what the outcome will be, sir.

Mr. PRICE. All right. But it is on a short time frame?

Dr. O'TOOLE. Very short. End of June.

Mr. PRICE. End of June. Meanwhile the other National Academy—

Dr. O'TOOLE. Site specific risk assessment.

Mr. PRICE [continuing]. Is dealing with the risk assessment. And with the earlier, you know, the alarm bells that went off earlier—

Dr. O'TOOLE. Uh-huh.

Mr. PRICE [continuing]. With respect to the first assessment, that now it appears to be being resolved. I mean, we are anticipating a much more positive review. But what is the time frame on that?

Dr. O'TOOLE. When was that due? End of June also.

Mr. PRICE. All right.

Dr. O'TOOLE. Four months.

Mr. PRICE. Yes. So how does that relate then to the actual plans moving forward, particularly the obligation of funds for the utility plant?

Dr. O'TOOLE. Well, I do not think we would start construction of the utility plant until we had decided to move forward on NBAF. In practice, should we decide to build NBAF, that will be a delay of about six months in getting started with the central utility plant. We are holding those monies in advance meanwhile.

Mr. PRICE. Given the basic nature and somewhat different census, but both of these National Academy reviews are absolutely essential to—

Dr. O'TOOLE. Yes.

Mr. PRICE [continuing]. To the plants moving forward?

Dr. O'TOOLE. They are complementary.

Mr. PRICE. It seems quite prudent to hold in abeyance any kind of expenditures on the ground.

Dr. O'TOOLE. Yes

Mr. PRICE. That is your intent?

Dr. O'TOOLE. Yes. I mean, right now Kansas has spent some money clearing the ground, but it basically improved its own property. To build a very powerful utility facility that we might not use does not seem prudent until we have decided definitively to go forward with NBAF.

Mr. PRICE. Thank you, Mr. Chairman.

Mr. ADERHOLT. Let me revisit what Mr. Price was talking about, the reassessment. You said that the report is due in June and mentioned that it is reassessing the need for a level four facility.

In your opening statement, you seemed to indicate that there is no alternative to a level four facility. Is that correct?

Dr. O'TOOLE. That is my judgment, Mr. Chairman. I mean, this is a matter of risk. I mean, what is your appetite for risk?

We could put people in BSL-3 conditions and ask the researchers to take some risk working with dangerous diseases. It also would, at least to some extent, increase the risk of an accidental release.

But it would not be prudent in my view and given the possible damage to the agriculture sector and the cost involved—we are talking about an additional appropriation of \$824 million laid against a trillion-dollar-per-year industry. That seems to me a good investment and an insurance policy for the future.

So one of our aims here is to make sure that everybody who has a stake in making these funding decisions is very clear about what is on the table and what is at stake and what the various tradeoffs are.

NATIONAL BIO AND AGRO-DEFENSE FACILITY: PLUM ISLAND, NEW YORK

Mr. ADERHOLT. Delays in constructing NBAF mean the United States will have to continue to rely on the research facility at Plum Island, New York. The facility was built in the 1950s and is limited by its badly aging infrastructure.

Our staff visited the site and understand, that in order to keep Plum Island running over the next decade or so, it would take \$60 to \$90 million for repairs and major facility replacements.

Is that figure accurate, and could you give us a detailed assessment of what the upgrades will be essential to keep that site functioning safely?

Dr. O'TOOLE. I think it is accurate today. We are now doing a detailed engineering study of Plum Island to make sure we have a good grasp of what would be required. It will be at least five years to construct NBAF and two more to accredit it.

So even if we begin next year, we are going to be at Plum for at least another eight years. So once we have that engineering study, which is also going to be done by June or July, we will have a much better idea of the exact cost for maintenance and also the sequencing of maintenance.

The near-term cost that we must do, the maintenance upgrades that we must do, immediately involve repair to the sewage treatment facility, which is very, very old, and keeping that running appropriately is a matter of safety.

And, secondly, we have to repair the dock where the ferry comes in so that it is operable.

Mr. ADERHOLT. What would be the alternatives to putting that much funding into a six-year-old facility?

Dr. O'TOOLE. I do not think we have an alternative there. This really is our only BSL-3 facility where we can work with livestock. It is very productive given its limitations.

We believe that we will have commercial license for an entirely new foot-and-mouth disease vaccine this summer as a consequence of Plum Island activity. And I do not want to stop work there. That would be foolish. There is really no other place that we can do it.

Mr. ADERHOLT. Describe to us a little bit about the current research capabilities at Plum Island, and what staying there will

mean in terms of our ability to investigate serious biological threats over the next ten years.

Dr. O'TOOLE. Plum Island is a fairly small laboratory. It can now do work one strain of foot-and-mouth disease at a time. FMD is like flu. It comes in many different strains that evolve over time, so you need a vaccine against all of them.

As I said, we have already developed what seems to be a successful vaccine against one strain. We have a commercial partner for that vaccine lined up. We want to do the other six strains of FMD. We have to do them sequentially at Plum Island.

We are also working on two viruses at Plum Island, but we could only do two at a time. We would like to do at least six simultaneously so that we could cover what USDA regards as the critical top-most threatening pathogens that could affect American agriculture.

We conduct very important training of veterinarians at Plum Island so that they can recognize the foreign animal diseases if they see them.

Our facilities for doing that are very limited. We can only do a couple dozen people per year. When they are training at Plum Island, then the proxy rooms are dedicated to training. We cannot do other work in them.

At NBAF, for example, that will all be remotely visualized, and there will be big facilities for students to watch what is going on as well as a vet school and school of agriculture that can feed us students.

So Plum is limited in what it can do. It does do first-class science. And I think it will continue to do so.

There are some difficulties attracting people to Plum because we do not have a nearby vet school. We do have to commute to work by ferry. That is great on good days, not so good in the middle of winter. We have to close the island down about ten days per year because of weather.

So it is a functioning facility. It has a great core, but it is limited in what it can do.

NATIONAL BIO AND AGRO-DEFENSE FACILITY: BIOLOGICAL SAFETY
LEVEL 4 BACKUP

Mr. ADERHOLT. On the BSL-4 capacity, in your assessment, what risk is it for the United States to have this capability gap before we do have a level four facility that would be up and running?

Dr. O'TOOLE. Well, if we have an outbreak through whatever cause today, we would have to send samples of the pathogen abroad, probably to Australia. Canada has a facility, but it is only big enough to handle a single path. So they could do diagnostic work in Canada. But to really do full-scale research and develop a vaccine or a treatment against these diseases, we would have to send it to Australia.

We have found in the past that, because of select agent rules, it is cumbersome getting the samples out of the country. We have an experience with the Ebola Reston virus that took a year between when it was discovered at Plum Island and when it actually got worked on in Australia because of difficulty with shipping and because they have their own field of work to do in this facility.

There are not many of these facilities in the world. We are working now on getting MOUs [memorandums of understanding] with Australia and Canada and the Netherlands so that we have a backup plan should we need it.

If it were an all-out no kidding, you know, existential threat to U.S. agriculture, my guess is we would have scientists volunteering to work in BSL-3 facilities on this scourge to see if we could get all of it. But that would be very imperfect, and it would be an emergency stopgap type of measure.

Mr. ADERHOLT. So in addition to Canada and Australia, there is a facility in the Netherlands as well?

Dr. O'TOOLE. Yes.

Mr. ADERHOLT. Is there any other around the world?

Dr. O'TOOLE. I do not think so. I can come back and get that for you, sir.

[The information follows:]

RESPONSE:

There are four BSL-4 large livestock labs outside the U.S.:

- Australian Animal Health Laboratory, Geelong, Australia
- National Microbiology Laboratory, Winnipeg, Canada
- National Institute for Public Health and the Environment, Bilthoven, Netherlands*
- Friedrich Loeffler Institute on the Isle of Riems, Greifswald, Germany*

*BSL-4 large livestock capability is planned for each of these new facilities. Whether the capability has been implemented yet is unconfirmed.

Mr. ADERHOLT. Mr. Price.

Mr. PRICE. Thank you.

Assistant Secretary, I want to take advantage of your——

Dr. O'TOOLE. Under Secretary.

Mr. PRICE. Under Secretary. I am sorry.

Dr. O'TOOLE. Whatever you want to call me.

SCIENCE AND TECHNOLOGY DIRECTORATE: FY 2013 PROJECTS

Mr. PRICE. How about just Madam Secretary as an abbreviation?

Anyway, I want to take advantage of your presence here to talk a little bit more broadly about the S&T funding challenges. I know that fiscal years 2011 and most especially 2012 have been very tough in terms of your funding levels. Actually, it amounts to almost cutting in half your research budget over that period.

You have testified today very well, I think, as to the tension between the infrastructure to support research and the research itself. And so I want you to elaborate, if you will, on the 2013 budget request, the extent to which it provides a sound research and development portfolio recognizing that it, too, is constrained.

I mean, the 2013 budget request represents only a return to 2011 funding levels. But it still is better than 2012 and it would presumably let you do some things that you have not been able to do in the current environment.

So I wonder if you could just be as specific as possible as to what difference those dollars at the margins make. What about first responder support? What about cyber security? That is a matter of great concern. What about the border security and interoperability research lines? What are we buying with those dollars and what difference does it make in terms of the mission support?

Dr. O'TOOLE. As a result of the fiscal year 2011 and 2012 budget cuts, we have limited our own R&D investments to those areas for which DHS S&T is the only developer of technologies. And those are biological defense, cyber security, explosives detection in the aviation environment, and first responder technologies.

In the next budget request, we will continue work in those areas and expand the projects in those areas. We went down from having 100 projects in 2011 to 60 projects in fiscal year 2012. And in 2013, should we get our request, we go back up to 100 projects.

But we have taken a very careful look through our portfolio review, which looks at every project every year and assesses it against clear metrics including the evaluations of outside assessors and stacks them up. We would invest in those projects that are highest impact.

So, for example, in explosives detection, we have coming online in about a year a baggage detection device that is ten times as sensitive, much faster, much higher throughput, less maintenance, and same cost as what we are using today. We think we could get that into commercial hands within the year.

In first responder terms, we have made enormous progress in interoperability that I do not think is well recognized across the government. And this has taken many different forms.

Virtual USA is a means of connecting emergency responders in the states and at the local levels to each other without having to buy new software or give away control of the data. That plus the Next-Generation Incident Command System, which allows incident commanders in fire and police departments not just to get a hold of what is going on, where the emergency equipment is, what roads are closed, where the fire line is, et cetera, et cetera, but to talk to each other.

And those two capabilities, Virtual USA and Next-Generation Incident Command System, are being put together. They have been adopted by the San Diego County Fire Department, and they are also going to be used officially by Cal Fire in the coming fire season, which promises to be quite active, unfortunately.

We have also now gotten multi-band radio. Remember in 9/11 the police could not talk to the fire department because they were working on different radio bands? S&T forged new standards and got a lot of attention from the commercial sector.

There now are at least three commercial radios that can broadcast on all bands. So one radio, you can talk to anybody. And more commercial vendors are coming online as a result of our efforts.

We also have done the first field test of what is called CMAS, the Commercial Mobile Alert Service. This is a capability that allows FEMA to broadcast to everybody's cell phone warning an alert regarding natural disasters or terrorist attacks. And if you were visiting New York, they would reach you in New York even though your cell phone was registered in Washington or North Carolina.

We had an end-to-end test with that this spring with the New York City Fire Department, FEMA, the FCC [Federal Communications Commission] and multiple carriers like Sprint and AT&T that went well. So this family of technologies has really improved interoperability around the country.

In biodefense, we have done a lot of work trying to figure out how to respond to an anthrax attack and how we would rapidly recover and decontaminate a large urban area, for example. We have done that in collaboration with DoD and EPA, [Environmental Protection Agency] and we generated some of the first items for those questions via big field trials in Seattle and Denver.

I would go on in cyber security, where we have done award-winning work. We developed what is called DNSSEC [Domain Name System Security Extensions]. This is a means that allows you to be assured that you are going to the website you intend to visit, and it prevents criminals from highjacking your message to your bank and diverting you to an illicit website. That has won two awards in the last year.

We have done a lot of work, and need to do more, securing the cyber connections to SCADA [Supervisory Control and Data Acquisition] systems; the control systems for oil and gas rates and oil refineries, for example. We are doing a lot of work in collaboration with the financial community to make sure that their cyber systems are secure. And we would like to do more in that realm as well.

Mr. PRICE. Good. That is a very helpful, suggestive list. And I am going to ask you to furnish for the record anything further you would like to say about the research priorities and particularly addressing the question of the marginal dollars.

Dr. O'TOOLE. Sure.

Mr. PRICE. The difference between the current level of appropriations, the requested level, and what your priority list would look like in terms of if those dollars are appropriated, what your priority list would look like for expending them.

Dr. O'TOOLE. Be happy to.

[The information follows:]

Excerpt:

Mr PRICE: And I am going to ask you to furnish for the record anything further you would like to say about the research priorities and particularly addressing the question of marginal dollars.

Dr. O'TOOLE: Sure

Mr PRICE: The difference between the current level of appropriations, the requested level, and what your priority list would look like in terms of if those dollars are appropriated, what your priority list would look like for expending them.

Dr. O'TOOLE: Be happy to.

Response:

Research, Development, and Innovation (RD&I) is the discretionary research and development funding to meet the needs of the DHS operational components and First Responders. Since FY 2010, this funding has been reduced by nearly 60%. As a result, S&T is focusing R&D work in four priority areas: civilian biodefense, unclassified cybersecurity, explosives detection (aviation security), and First Responders technologies. With the exception of cybersecurity, even these priority areas have been reduced by 50%. In addition, S&T has had to eliminate virtually all funding in other areas such as border security, infrastructure protection, chemical threat security, biometrics, natural disaster resiliency, hostile behavior detection, and violent extremism countermeasures.

S&T's FY 2013 budget request includes an increase of \$212M for RD&I compared to FY 2012, which will restore funding to many of the areas that have been reduced. This will allow S&T to again support the needs of frontline operational components and the First Responders. The increases are in the following areas: Biosecurity—\$57M; Border Security—\$16M; Chem Security—\$5M; Cybersecurity—\$18M; Explosives Detection (mass transit and large gatherings)—\$49M; First Responder Capability—\$12M; Hostile Behavior Detection—\$10M; Identity Management—\$14M; Info Sharing and Interoperability—\$17M; and Natural Disaster Resiliency—\$14M. The funding will allow us to reinvest in the following areas:

Adaptive Facility Protection (Bio) – This will improve the ability of facility operators to protect buildings through the development of a rapid biodetection architecture for infrastructure and the assessment of technology for use in facilities to effect prompt warning and response.

Adaptive Facility Protection (Chem) – This will improve the ability to protect buildings and facilities from a chemical spill accident or deliberate attack.

Decontamination, Disposal and Depopulation (3D) – This will improve Federal, state and local animal health officials emergency response CONOPS to control the spread of foreign animal diseases (FAD) and mitigate impact on the livestock industry.

Chem-Bio Event Characterization – This will improve the capability of the response community to rapidly determine the extent of chemical or biological contamination in an urban area following an event. This project addresses one of the high priority needs expressed by the emergency management, environmental, and public health communities and includes reaerosolization of a biological agent.

Joint Agro Defense Office (JADO) – This strengthens inter-agency collaboration in strategic research and development to enhance the nation’s ability to effectively respond to and quickly recover from a foreign animal disease outbreak.

System Studies – This improves coordination of DHS-led biodefense efforts by conducting system studies to help identify critical gaps, perform cost-benefit tradeoffs of different options for addressing those gaps, and inform guidance and CONOPS.

NBAF Agro-Defense Research and Assessment – This will help protect the agriculture infrastructure and public health by augmenting and complementing current and ongoing research at Plum Island Animal Disease Center by accelerating research programs on zoonotic diseases and emerging foreign animal diseases.

Small Dark Aircraft – This will enhance CBP capabilities to consistently detect and track small aircraft (helicopters, ultra-light, and fixed wing) at or before crossing the border to enable successful interdiction of illicit cargo.

Tunnel Activity Monitoring – This will enable CBP and ICE to detect illicit activity in known tunnels crossing the borders. Public infrastructure storm drains and sewers are being used as conduits for smuggling and illegal entries.

Tunnel Detection – This will develop technology to enable CBP and ICE to reliably detect tunnels to prevent contraband and illegal immigrant smuggling using clandestine tunnels by using modeling and simulation techniques to predict the effectiveness of the most promising tunnel detection technologies.

Maritime Supply Chain Secure Transit Demonstration – This will demonstrate the technological capability and practical feasibility of securing maritime cargo while in transit.

Security in Cloud-Based Systems (sCBS) – This will increase government efficiencies and security using cloud-based systems by establishing a secure cloud infrastructure. Security in cloud-based systems requires elements of every aspect of cyber security including: secure protocols to protect data flow to, within, and outside the cloud; data integrity, user privacy constraints, and forensics

analysis to preserve digital evidence; and measurement systems to identify any possible unauthorized activity existing within a cloud-based environment.

Data Privacy Technologies Project – This project will increase valuable information sharing across the government and private sector by developing technologies to protect and minimize confidential personal information.

Actionable Indicators and Countermeasures – This will improve the Intelligence and Law Enforcement communities' ability to identify indicators that individuals and groups are moving toward extremist violence. It will also support policymakers in assessing the impacts of policies and programs developed to counter violent extremism.

Risk Prediction – This will improve CBP and TSA's ability to identify potential improvised explosive device (IED) targets and staging areas that precede IED smugglings at the U.S. border. The project couples the CBP Automated Targeting Systems (ATS) with existing geo-behavioral pattern discovery algorithms and identified vulnerabilities.

Eye Safe Trace Detection – This will provide building security and checkpoint security with a stand-off ability to detect trace explosives on people and personal items.

Integrated Passenger Screening Systems – This will allow passengers to keep their shoes on throughout the security screening process at aviation checkpoints by developing and testing integrated shoe screening devices (SSD) and advanced imaging technology (AIT) systems.

PB Threat Imaging Sensor Development – This improves FPS's and TSA's standoff detection of explosives devices worn or carried by a person as they approach a venue entrance.

Portable Detection – This improves the Department's and First Responders' explosives detection performance in a handheld form. The project will develop non-contact portable explosives detectors employing sensitive and selective trace and/or bulk sensors for a number of potential applications, including secondary screening of passengers (in lieu of pat downs) after Advanced Imaging Technology (AIT) anomaly detection.

Safe Bulk Detection – This will provide screeners the ability to effectively and safely detect bulk explosives or bulk explosive chemicals concealed or carried in a bag without the operational limitations of an aviation-style checkpoint.

Centralized Hostile Intent Detection – This improves TSA's capability to identify threats to aviation security by empirically comparing direct versus video based observation and decentralized versus centralized observation techniques for identifying high-risk behavior.

Passive Methods for Precision Behavioral Screening – This will improve DHS's screening and throughput, reduce economic screening impacts, and improve classification accuracy by transforming the screening process from active to more dynamic and passive detection.

Wide Area Surveillance – This will enhance the continuous surveillance of the Nation’s highest priority infrastructure by developing a novel wide area surveillance system that provides high resolution 360 degree coverage with real-time and forensic capabilities. The system will leverage significant research investments by the Department of Defense to enhance image resolution beyond what is commercially available.

Incident Logistics and Resource Tracking System – This will allow FEMA to manage critical resources effectively and enhance real-time coordination and situational awareness. The project will improve timely procurement and disbursement of public and private material inventories, locations of resources, and supplies to respond to an emergency through a capability that is scalable and interoperable with Federal, state, and local systems (legacy and future).

Standard Unified Modeling Mapping Integrated Toolkit (SUMMIT) – This will improve the verification and validation of emergency response tactics, plans and procedures prior, during, and after an incident by delivering a framework to FEMA, state and local emergency responders, and DOD for integrating existing incident related modeling and simulation tools in real-time scenarios for operations and training exercises.

Converged Interoperable Communications – This improves the ability for First Responders to effectively and efficiently coordinate and communicate preparations for response and recovery efforts through the development of integrated communication systems.

Emergency Data Exchange Language (EDXL) – This provides a suite of standardized emergency-messaging formats for First Responders to collaborate and share life-saving resources. This project improves the speed and quality of coordinated response activities in real time by sending messages to first responders’ through tablets, computers, and phones with EDXL-compliant software.

Internet Protocol (IP) Communications Test and Evaluation – This provides our Nation’s First Responders with the capability to deploy the most appropriate and affordable communications equipment focusing on two areas—Voice Over Internet Protocol (VoIP) and Video Quality in Public Safety (VQiPS). The project supports the long term goal of enhancing public safety interoperability by encouraging industry to build equipment to meet the needs of the emergency responders.

Visual Analytics, Precision Information Environments (VAPIE) – This will enable diverse, diffuse, and dynamic data to be visualized in a user friendly form for the Northwest USA local, tribal, state, and Federal first responder, law enforcement, public safety, and public health communities.

Human Systems Research – This will improve DHS’s capability to incorporate human performance requirements into technology and deployed systems by developing ways to maximize human performance across DHS end-user tasks and activities.

Cooperative Biometrics – This will improve CBP, ICE, USCG, and others’ throughput by collecting two or more biometrics in less than 10 seconds at a 95 percent acquisition rate. The

project is working with the biometrics industry to develop more robust iris recognition and improved facial image acquisition and matching technologies for integration with DHS biometric screening processes.

Non-Cooperative Biometrics – This will improve CBP, ICE, USCG and others' ability to identify and prevent potential threats from entering the U.S. and facilitate the movement of legitimate travelers. The project will deploy facial recognition systems in its first phase and multi-modal systems in subsequent phases for non-cooperative subjects.

Biometric Data Base Interoperability – This will enable CBP, ICE, USCG, USSS, and USCIS to cost-effectively and operationally effectively match, analyze, and exchange biometric and actionable identity based information within DHS and with other federal agencies such as DoD and FBI. This project will allow each agency to support the demanding high-volume of transactions and short response times required of its mission partners.

Community Resilience – This will help train local leaders on effective risk communication practices related to homeland-security threats. The training program will reflect current scientific understanding of effective communication of threats and risk related to preparedness, warnings of imminent threats, and post-event recovery and mitigation.

Quantitative Psychosocial Impacts Index (QPSI) – This will improve DHS risk assessments and prioritizing of its preparedness, response, and recovery activities by developing an index of the direct and indirect public health, social, and political impacts of disasters.

Social Media Disaster Resilience – This will improve the ability to use social media for accurate, real-time situational awareness that will help DHS in decision-making and resource allocation by using social media from on-site bystanders communicating the extent of damage, the evolution of the event, and the needs of the community.

Radiological Nuclear Response and Recovery – This will improve the Nation's ability to respond to and recover from the effects of a nuclear/radiological attack.

Seismic Activity Detection Data Collection, Analysis, Alert, and Warning – This will improve alert notifications and warnings of potential earthquake events to emergency response agencies at local, state, and Federal levels by an integrated warning system based on ground and remote sensing measurements.

Mr. PRICE. Thank you.
Thank you, Mr. Chairman.

DHS COMPREHENSIVE AND QUARTERLY ACQUISITION REPORTS

Mr. ADERHOLT. Secretary Borrás, in fiscal year 2012, the Department of Homeland Security was required to submit comprehensive and quarterly acquisition reports. I just wanted to check on the status of those reports are and when the committee might receive them.

Mr. BORRAS. That report has been prepared and developed by the department and is in OMB clearance. So I do expect that to be forthcoming. The CAR has been developed.

Mr. ADERHOLT. I am sorry. Say it again.

Mr. BORRAS. The comprehensive acquisition report has been developed by the department and is in OMB clearance.

NATIONAL BIO AND AGRO-DEFENSE FACILITY: RESEARCH AND ASSESSMENT PROJECT

Mr. ADERHOLT. All right. Let me just turn, Under Secretary, and go back to NBAF just a minute. In your request, you seek \$10 million under your disaster resilience thrust area for an NBAF Agro-Defense Research and Assessment Project.

Some of this is for existing swine fever research, but it is also for bioagent certification and for “public outreach” plans.

Could you be a little bit more specific about your intentions for this funding? How much is for research and how much is for preparatory work for the NBAF itself, especially since the project includes “NBAF” in its name?

Dr. O'TOOLE. Exactly what that money is being spent on is now in discussion with USDA and Kansas State. There are two lines of intention, Mr. Chairman. One is to expand the work needed on a priority basis on African and Classical Swine Fever.

To do that work, Kansas State has to develop a BSL-3 level facility with these agents. And our experience with NBACC in Fort Detrick is that it is much more efficient and effective if you prepare that road fully before you get there. So it takes some time for faculty to become familiar with laws, regulations, and appropriate safety procedures before you actually do that work.

So this is work that is augmenting research going on at Plum Island now. Some of it is research. We would like to do it at Plum Island but do not have the space to carry it out. And it is preparatory to working in a BSL-4 facility. It includes some of the procedures and training and so forth that you need for BSL-3 or BSL-4 work.

SCIENCE AND TECHNOLOGY DIRECTORATE: BIO AGENT AND DISEASE CERTIFICATION AND OUTREACH PLANNING

Mr. ADERHOLT. Thank you.

How much of the S&T currently is spent on supporting efforts at bio agent and disease certification and outreaching planning for the future of NBAF?

Dr. O'TOOLE. I do not think, if I understand your question, I do not think we are spending anything on that right now.

Mr. ADERHOLT. Okay. Well, I know Mr. Price has to slip out. And as you can imagine, there is a multitude of hearings that are going on The Hill today. As I mentioned to you when I came in, I had just come from Administrator Bolden of NASA before the CJS Committee. So we will try to conclude.

Let me say to both Under Secretaries Borrás and O'Toole, you testified today about adjustments in planning, schedule changes, and cost increases to reduce appropriations, and that is what the bottom line has been.

But I think what this Committee would like to emphasize is that a key part of the process involves getting a responsible budget request that reflects priorities, but also includes a credible way to achieve must-do objectives.

In this case, the headquarters consolidation and also the BSL-4 lab capability within a reasonable time frame because I think both of you agree that those are imperative, that we work on those as quickly as possible to reach conclusions.

But, you know, let me just remind the Department that this Committee is prepared to help you get there. We want to help you meet those objectives with both the BSL-4 lab capability and also the headquarters consolidation. But we need your help in adjusting how to keep those parties within a fiscally responsible basis.

So, the bottom line is we need responsible budgeting. We need you to come forward to us with options that we can actually work with.

And so we look forward to working with you as we progress down that path because we know that both the headquarters consolidation and the BSL-4 lab is very important. We know that it is important for the security not only of the Department itself and agriculture interests, but also for the entire Nation.

So we look forward to working with you on that and as we look toward trying to get a responsible budget and trying to meet the needs that are in your request.

So, again, I thank you for being here, for taking time to answer these questions. There will probably be some questions for the record that we will submit. So, again, we appreciate your willingness to come before the Subcommittee and testify this morning.

So the subcommittee is adjourned.

[The information follows:]

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE Robert Aderholt**Under Secretary for Management Rafael Borrás
Under Secretary for Research and Development Tara O'Toole**Committee on Appropriations
Subcommittee on Homeland Security
FY 2013 Budget Request – DHS Facilities
March 21, 2012**St. Elizabeths Cost Estimates**

QUESTION: Please discuss any cost containment measures underway or being considered to reduce the overall scope or cost of the consolidation program should DHS be advised of extended funding restrictions.

ANSWER: The department continues to hold requirements constant and the scope of the program remains the same as was originally planned. The only adjustments to the DHS programmatic budget estimate have been to account for inflation in labor and materials and where there have been variances between the President's requests and appropriations provided by the Congress.

We are developing options to reduce our overall real estate footprint. We continue to work closely with the committee to ensure that all information necessary to support the project is available and understood.

The department realizes the budget environment has changed from the initiation of St. Elizabeths construction in 2009 and that funding challenges will remain for the foreseeable future. We are re-examining our original assumptions to leverage the advancements in mobile workforce technologies to increase the utilization of the St. Elizabeths Campus and drive down our overall real estate requirements.

The Campus was originally planned to accommodate 14,000 seats for DHS employees at a 1:1 seat to staff ratio. The department is aggressively pursuing flexible workplace technologies to include telework, alternate work schedule and revising space standards to better suit the needs of a highly mobile workforce. We also understand that mobile work is not suitable for every person or function. However, there are substantial savings that can be made without sacrificing mission effectiveness.

While our original plan accommodated 14,000 people in 14,000 seats, as we re-validate the occupancy plan and incorporate flexible workplace technologies, we predict that up to 17,000 employees can be accommodated in the same 14,000 seats. The savings achieved on-campus will lower our requirements off-campus, reducing our overall footprint.

Similarly, we are in the process of re-evaluating the mission support consolidation strategy which is comprised of the headquarters elements not planned for St. Elizabeths. Our original plan included a lease prospectus for approximately 1.1 million rentable square feet of commercial office space as replacement space on a square foot to square foot basis. The inability to fund the lease consolidation prospectus did not eliminate the requirement to consolidate our locations from the approximate 53 we have now, down to as few as possible. Using these same mobile work technologies, we are exploring methods where the utilization of our anchor locations can be

increased which will allow the department to consolidate without the additional space from the prospectus. We are working with GSA and will provide an update to Congress when these plans are finalized.

QUESTION: What is the cost needed solely to ensure the build-out and occupancy of those facilities already committed, obligated, or under construction?

ANSWER: The Department of Homeland Security received appropriations in FY2009, FY2011, FY2012 and ARRA funding sufficient to complete all DHS development responsibilities for Phase 1 Coast Guard occupancy. The U. S. Coast Guard requests \$24.5M in the Presidents FY2013 Budget for operational transition costs (dual building security, dual IT maintenance and dual shuttles services) during their projected move period.

GSA did not receive sufficient appropriations in FY2012 to complete all Phase 1 infrastructure development requirements to support Coast Guard occupancy in FY2013. Consequently, GSA de-scoped selected contracts to fund critical infrastructure needed for Coast Guard occupancy. Portions of the Perimeter Security Improvements contract were de-scoped which must be completed in the future to have a fully functioning campus security system with visitor processing, employee screening facilities and full access control at gates 1 and 2. Based on revised estimates from April 2012, GSA estimates the cost of completing these de-scoped items is approximately \$10M.

One of the six adaptive reuse buildings under contract for renovation will likely be deferred. Building 52, the Ice House, is currently under contract to be renovated as a combination Chapel/Training and Conference Facility. With the delay in Phase 2, the demand for additional conference space does not exist and the Chapel requirements will be accommodated within the Coast Guard headquarters building. GSA estimates the cost to complete the building 52 renovation is about \$5M.

The Firth Sterling interchange construction and access road segment to the Coast Guard Gate 4 garage entrance is required to support USCG occupancy. Due to the funding reductions, GSA indicates that soil stabilization/erosion prevention efforts and some retaining wall finishes (stone veneer) will not be completed as required by the National Historic Preservation Act Section 106 consultations. These features are necessary to lessen the adverse impacts on the St. Elizabeths Historic Landmark. Again, based on revised estimates from April 2012, GSA estimates the cost of completing the delayed work to be approximately \$6M.

The original planned integrated construction sequence called for the DHS Operations Centers (DOC) Blocks A and B to be funded in 2011, with the key spaces for Coast Guard occupancy completed in FY2013 and the remaining DOC spaces completed in FY2014. However, in the FY2011 and FY2012 appropriations, only the critical spaces for Coast Guard occupancy in DOC Block A were funded. DOC Block B construction was not funded. As a result, although GSA is constructing the entire shell of DOC Block A, there is only utility capacity to support approximately 25% of the facility. In order to complete and occupy the entire DOC A facility, in a future fiscal year, GSA requires an additional \$3M to expand the Central Utility Plant capacity and DHS requires about \$12M to complete remaining interior fit-out, IT equipment, outfitting, commissioning and move costs. This does not include the costs to construct or occupy the DOC B facility, which has not yet started.

QUESTION: Please discuss how a hiatus in funding for the total program, 2 years for example, would affect the overall DHS headquarters consolidation.

ANSWER: Occupancy beyond the USCG will be delayed. As we extend the schedule, the costs of materials and labor continue to increase. The Associated General Contractors estimate that between 2013 and 2017, materials and labor prices will increase between 5 and 12% annually. The Administration remains committed to developing St. Elizabeths for DHS.

Execution of FY 2012 Funding

QUESTION: Please briefly explain the DHS expenditure plan for the \$55.979 million enacted in FY 2012. Will those funds ensure occupancy of the U.S. Coast Guard Headquarters in the projected FY 2013 time frame without additional cost and schedule delay? If not, please explain.

ANSWER: DHS FY 2012 funding will cover the remaining tenant specific requirements of Phase 1A (new USCG Headquarters Building) and Phase 1B (shared use facilities), including security/ telecommunications equipment, commissioning costs, move planning/execution and GSA associated fees. DHS funding will be executed by GSA through a Reimbursable Work Authorization (RWA). The DHS funding covers the remaining Phase 1 development and physical move costs and will allow for the on-time completion and move-in for the U.S. Coast Guard commencing in the 3rd quarter of FY2013.

In FY 2013 the U. S. Coast Guard will incur operational transition costs during the move period. \$24.5M is requested in the Presidents FY2013 Budget for operational transition costs (dual building security, dual IT maintenance and dual shuttles services) during their projected move period.

No other DHS Phase 1 development funding is required.

Projected Cost Savings Due to Master Plan Implementation at St. Elizabeths

QUESTION: If full funding of the DHS Master Plan for headquarters consolidation at the St. Elizabeths campus program is supported and implemented, what is the DHS projection on the square footage of commercial leased space that will no longer be required upon full occupancy of the campus?

ANSWER: The full build out of St. Elizabeths will result in the elimination of approximately 35 commercial buildings, consisting of 3.8 million gross square feet.

QUESTION: What was the original forecast for cost savings generated by the cancellation of existing leases with the then projected FY 2016 full campus occupancy? As the Under Secretary confirmed, 87 percent of DHS headquarters leases are expected to expire by the originally projected FY 2016 full campus occupancy.

ANSWER: GSA, as the Federal Government's real estate developer, originally projected through The Automated Prospectus System (TAPS) analysis, that consolidation of 14,000 seats in federal owned space at St. Elizabeths by 2016 would result in a 30-year present value cost avoidance of \$961M versus continuing to house an equivalent number of seats in leased space. After a GAO review of their analysis, GSA revised the projection to \$743M present value cost avoidance over the same 30-year period. GSA's most current TAPS estimate of savings reported in the FY2011 Prospectus for consolidation at St. Elizabeths by 2016 would result in a 30 year present value cost avoidance of approximately \$516 million versus continuing to house those seats in leased space.

QUESTION: Given the current funding profile and probable extension of numerous leases, what is the revised projected cost savings?

ANSWER: For GSA to recalculate the TAPS analysis we must complete the DHS-GSA update of the execution plan. Once finalized by all parties, GSA will be able to update the cost avoidance of consolidation at St. Elizabeths. DHS and GSA expect to have the updated execution plan and revised TAPS analysis completed by the fall of 2012.

QUESTION: Will there be any reductions in net square feet of space at the Nebraska Avenue Campus under any options projected or being considered for the DHS headquarters consolidation program?

ANSWER: The Nebraska Avenue Complex (NAC) remains one of the anchor locations in the DHS Headquarters Consolidation Program and will not be reduced in net square feet of space under any options being considered. The department is working with GSA to develop a Master Plan for the NAC that will leverage the investments made by the Congress in the campus infrastructure over the past nine years. While the NAC does not have the capacity to serve as the Mission Execution Headquarters location, it is suitable for other headquarter elements.

QUESTION: What staffing savings are projected for the full implementation of the consolidated campus?

ANSWER: Through the implementation of flexible workplace strategies, the full build-out of St. Elizabeths, originally envisioned to accommodate 14,000 employees in 14,000 seats, may ultimately be capable of accommodating up to 17,000 employees in the same 14,000 seats. While not a direct staffing savings, the increased utilization of the 14,000 seats will translate into a reduction in the overall real estate needs to support the department headquarters in the National Capital Region.

In addition to the real estate savings, we believe there are opportunities to gain efficiencies in the delivery of common campus services such as transportation management, childcare, shipping/receiving, security services, security badges, facilities management, personnel services, visitor management, motor pool, etc. However, given the uncertainty in occupancy beyond the Coast Guard, it is difficult to quantify the campus staffing efficiencies at this time. The department is committed to achieving management efficiencies and established a Shared Services Working Group to engage components and plan for scalable and affordable campus services.

QUESTION: Are there any other efficiencies and cost savings expected under the consolidation?

ANSWER: With full execution of the Headquarters Consolidation Plan, including both the St. Elizabeths development and the consolidation of mission support locations/functions off campus, the department will realize administrative efficiencies, cost avoidances and improved effectiveness. The reduction in locations housing DHS and component headquarters offices from the current 53 to as few as possible, targeted at between 7 and 10, will result in direct cost avoidances for support services such as mail delivery, shuttles, building security services, utilities, etc. The degree of cost avoidances/savings to be expected is a function of the final number of locations which is currently under revision due to the cancellation of the procurement for the Mission Support Consolidation Lease.

QUESTION: Please provide the Committee the overall return-on-investment (ROI) under the most recent projected funding profile data, should the full DHS plan for headquarters consolidation at the St. Elizabeths campus be implemented.

ANSWER: For GSA to recalculate the TAPS analysis we must complete the ongoing DHS-GSA update of the execution plan in view of the constrained budget environment. With an Administration approved revised schedule and corresponding out-year funding profile, GSA will be able to determine the updated cost avoidance of consolidation at St. Elizabeths. DHS and GSA expect to have the updated execution plan and revised TAPS analysis completed and approved by OMB by the fall of 2012.

QUESTIONS FOR THE RECORD SUBMITTED BY

THE HONORABLE David Price**Under Secretary for Management Rafael Borrás
Under Secretary for Research and Development Tara O'Toole**Committee on Appropriations
Subcommittee on Homeland Security
FY 2013 Budget Request – DHS Facilities
March 21, 2012**Cost and Schedule for NBAF**

QUESTION: When originally conceived, NBAF was estimated to cost \$451 million. In 2009, when a site was selected, the costs had already risen to \$725 million, with construction to begin in 2011 and completion by 2015. Due to concerns about the safety and security of the original design proposal, which required design changes, and less funding than originally anticipated, scheduled completion of the NBAF has slipped repeatedly and costs have grown substantially. What is the current cost and timeframe to complete construction of NBAF in Manhattan, Kansas?

ANSWER: During the planning and site selection process for the National Bio and Agro-Defense Facility (NBAF) in 2008, the Science and Technology Directorate (S&T) completed a Site Cost Analysis report to estimate the costs to construct and operate NBAF. The original, estimated cost of building a generic large animal BSL4 was \$725 million. This did not account for any site-specific requirements or enhanced safety upgrades. Since then, the estimated cost has increased to approximately \$1.138 billion. The adjusted cost is due to site-specific requirements and recommendations from the Site Specific Risk Assessment (SSRA); additionally, construction delays have contributed to approximately 20 percent of the cost increase. The proposed timeframe to complete construction and laboratory certification is estimated to be approximately seven years from the time of groundbreaking, given full funding is provided.

QUESTION: Will the cost and schedule change based on the stakeholders review?

ANSWER: The National Academy of Sciences is currently reviewing the Updated Site Specific Risk Assessment and is also conducting a separate review of the cost, safety and alternatives to the current plan for NBAF. Until these reviews are concluded (expected in Summer of 2012), any additional changes in cost and schedule are unknown.

QUESTION: The Administration is asking for \$10 million in FY 2013 to increase the amount of research being done at Kansas State's Biosecurity Research Institute. Please provide more details on what exactly those dollars will be used for.

ANSWER: The fiscal year 2013 budget request provides \$10 million to complement ongoing research at the Plum Island Animal Disease Center by accelerating research programs on zoonotic diseases and emerging foreign animal diseases. Options for the specific research agenda and scope are currently being evaluated jointly by USDA and DHS.

Plum Island Facility Improvement Needs

QUESTION: If completion of the NBAF is delayed for 6 years beyond its original completion date, we will need to continue research at the Plum Island Animal Research Facility until about 2021. These facilities are dilapidated. The waste treatment facility needs to be replaced, docks need to be repaired, and other investments need to be undertaken in the near term. For fiscal year 2013, S&T has \$15 million in their request for these activities; however, they have indicated that they will need to use some of the 2012 dollars for urgent repairs at the Plum Island facility too, which could require a reprogramming. What are the estimated costs to keep the Plum Island research facility effectively running for perhaps another 10 years and how does S&T plan to pay for this?

ANSWER: With the delays of the National Bio and Agro-Defense Facility (NBAF), Plum Island Animal Disease Center (PIADC) will require significant critical infrastructure upgrades over the next 10 years. The current estimate for upgrades at PIADC over the next 7-10 years is \$60 million-\$90 million. The Science and Technology Directorate will not have a final estimate until the ongoing engineering review is completed and the full extent of needed upgrades is known.

QUESTION: What are the immediate repairs that you need to do in 2012 and 2013? What can wait?

ANSWER: Immediate critical upgrades include the wastewater decontamination system, the harbor/dock repair, chiller plant, HVAC system, and the incinerator lining. The final plan and estimate for needed upgrades will not be finalized until the ongoing engineering assessment is completed later this year.

University Programs

QUESTION: Science and Technology leverages the expertise and resources of universities around the country in order to expand the scope of their research. There are twelve Centers' of Excellence (COE), including the Coastal Hazards COE co-led by UNC Chapel Hill and Jackson State University, as well as numerous other initiatives in which colleges and universities are directly engaged with the Department. For FY13, the request includes a \$3.4 million increase for University Programs, to \$40 million.

Dr. O'Toole, I am pleased to see an increase, albeit modest, for University Programs in your budget. Partnering with colleges and universities offers a unique opportunity for the Department to accelerate many of its research initiatives. For instance, Duke University in my district is a partner on both air cargo screening and the Next Generation Passenger Check Point project, while the University of North Carolina at Chapel Hill is one of 12 DHS-recognized Centers' of Excellence. Can you please detail for us the relationship that exists between the Department and those in academia?

ANSWER: In addition to the Centers of Excellence, the Department of Homeland Security (DHS) maintains a number of relationships with academia, with distinctively different programs sponsored by different DHS component agencies. Secretary Napolitano recently chartered a new Federal Advisory Committee Act panel, the Homeland Security Academic Advisory Council (HSAAC) to address this multiplicity of advise the Secretary and senior leadership at the Department on several key issues. programs and to develop recommendations for how DHS can most efficiently and effectively engage with colleges and universities. The HSAAC, which is composed of representatives of a range of academic institutions and organizations, will provide advice and recommendations on a number of issues important to DHS, including, but not limited to: student and recent graduate recruitment; international students; academic research; campus and community resiliency, security and preparedness; and faculty exchanges.

QUESTION: What will the proposed increase in funding for University Programs allow you to do that you cannot do today? Or what specific initiatives would you be able to preserve with this additional funding?

ANSWER: The proposed funding increase for University Programs preserves the 9 Centers of Excellence (COEs) that are funded in fiscal year 2012. Each COE will receive an average of \$3.6 million annually, an increase from \$3.3 million in 2012. This enables the COEs to pursue additional targeted initiatives that involve extensive engagement with Department of Homeland Security Components and first responders and are larger in scope than current COE research projects. This increase will also assist in the successful transition of COE research results into homeland security practice, and the transition of COE students into the homeland security workforce. The fiscal year 2013 funding request would allow us to increase funding to each of our two other programs, Education and Minority Servings Institutions by approximately \$600,000. This is approximately the same level as in fiscal year 2011.

Relationship with Secret Service

QUESTION: Dr. O'Toole, Secret Service Director Sullivan has been very complimentary about the positive relationship that exists between your two components and the vital research that you provide. Can you please detail for this Subcommittee the nature of your relationship with the Secret Service, recognizing the open nature of this hearing?

ANSWER: The Director of the United States Secret Service (USSS) and I have created a strong partnership through the Science and Technology Operational Research and Enhancement (STORE) which supports the Science and Technology Directorate's (S&T) goal to rapidly develop and deliver technology solutions to be integrated into homeland security operations. STORE is the first Apex project initiated under the leadership of the Under Secretary for Science and Technology and the Director of USSS.

Jointly staffed by S&T and USSS, the project's purpose is to arm USSS personnel with better technology to enhance its protective mission, increase its ability to determine mission assurance and effectiveness, enhance its technology acquisition process, and better enable S&T to direct its research dollars to the most critical research and development programs. We accomplish these goals by working directly with USSS personnel at both the highest levels of management and at the operational level.

Improving the acquisition processes and budget planning enables USSS to streamline and accelerate the acquisition of the advanced technologies it needs to perform its vital mission while deploying cutting-edge technology—both new and emerging—to strengthen USSS protective operations. The resulting products help USSS personnel to better protect high-level government leaders. This partnership continues to grow and evolve on a strategic and operational level, we are currently working with USSS on other areas of high interest such as explosive and conventional threat detection, screening, protective systems, and increase situational awareness.

QUESTION: What other DHS components have you found effectively engaging S&T rather than relying on their own in-house capabilities?

ANSWER: The Science and Technology Directorate (S&T) is the primary source of scientific and engineering expertise within the Department of Homeland Security (DHS). As such, we have developed strong working partnerships across the Department. Through concerted outreach by S&T leadership, the Components are increasingly recognizing and seeking the analytical, technical expertise that S&T can bring to bear. For example:

- We recently signed a research and development strategy agreement with the Transportation Security Administration's (TSA) Office of Security Capabilities and collaborate through S&T's Explosives Division.
- We work closely with the U.S. Customs and Border Protection's Office of Technology Innovation and Acquisition (OTIA) in several research and development fields including the Small Dark Aircraft, Wide Area Surveillance, and Ground Based Technology projects as well as Clandestine Tunnel Detection efforts. OTIA has signed a Memorandum of Agreement with S&T to jointly fund the Rapid Response Prototype Team to jointly assess commercial-off-the-shelf (COTS) or near-COTS sensors and sensor systems, and develop prototypes for use and evaluation in areas of critical need for border security.
- We have a signed an Apex agreement with the United States Secret Service (USSS) to design a systems-based approach to technology acquisition for USSS protective operations. The Apex model involves S&T's Under Secretary and the Component Head discussing priorities. S&T and Component staff together builds understanding of operations to determine where S&T can make a difference.
- We have established an Apex-like project partnership with CBP that involves deploying infrastructure and technology, including the Electronic-Chain-of-Custody device developed by S&T, for truck and rail routes originating in Canada and Mexico to expedite the flow of cargo in a secure manner.
- S&T is also cooperatively developing a system (Fedtrak™) to track shipments of security sensitive hazardous materials to meet 9/11 Act section 1554 requirements that TSA is responsible for facilitating.

Joint Research and Development Plans: S&T actively builds relationships with Components to develop joint research and development plans. S&T and TSA jointly authored the *Aviation Security Technology Research and Development Strategy*, which provides a cohesive vision for technology development and will facilitate successful technology transfer. This strategy synchronizes research and development milestones and deliverables with TSA's planned acquisitions. This strategy exists as proof of the understanding of operational capability needs that evolves from partnering of Components within DHS.

Analysis and Acquisition Support: S&T's Acquisition Support and Operational Analysis Division helps DHS Components analyze and translate mission needs into testable requirements so that DHS procures technologies that work as expected and are delivered on time and on budget. Through its systems analysis and standards development capabilities, S&T enriches the DHS investment lifecycle with process improvement for customized analysis for trade-off decisions, operational requirements development, alternatives assessment, and portfolio analysis. Through its analytic efforts, S&T is providing a more holistic approach to the Department's needs, the requirements for meeting them, and understanding the impact various alternative solutions may have. Operational analytics also enable S&T to establish trust and build credibility with partners by facilitating collaboration and communication across the Homeland Security Enterprise. S&T's input facilitates decision making that ensures future technology investments will effectively integrate and transition into Component operations.

S&T employs the Apex business model, joint research and development plans, and research and development operational context charts to effectively engage Components. S&T assists Components in deploying effective solutions by understanding and communicating trade-offs and life-cycle costs. These close relationships give S&T a better understanding of the operations of each Component and give the Component better understanding of what S&T can provide that complements their in-house capabilities.

Lease Consolidation

QUESTION: For the past few years, DHS has been proposing to consolidate its office leases from about 50 to 6-8 facilities. In the past, the agency has requested funding for these efforts; however, none has been requested in 2013.

Two years ago we held a hearing on the plans for St Elizabeths and lease consolidation. Under Secretary for Management (Elaine Duke) testified about a potential cost savings of \$400 million for the lease consolidation project over what the Department would have spent otherwise because 87% of DHS headquarters leases were expected to expire by the originally projected full campus occupancy date of 2016. At that time, arguments were made that if we waited, it would be more expensive to consolidate leases in the Washington DC area. Under Secretary Borras, is lease consolidation still being considered by DHS? If so, what is the current plan?

ANSWER: Lease consolidation is still being considered by DHS. The original lease migration plan was developed to minimize vacancy risk and short-term lease extensions while maintaining alignment with the planned schedule for completion of the St. Elizabeths development in FY2016. Due to the reductions in FY2011 and FY2012 funding and the cancellation of the procurement of the Mission Support Consolidation Lease, the original completion schedule can no longer be achieved. Therefore, the Department is collaborating with GSA to revise the lease migration strategy.

Similar to St. Elizabeths, our original plan was based on a 1:1 seat to staff ratio. The department is aggressively pursuing flexible workplace technologies that include telework, alternate work schedules and mobile working with revised space standards that accommodate the needs of a highly mobile workforce and reduce the square feet required per person. We also understand that mobile work is not suitable for every person or function. However, there are substantial savings that can be made without sacrificing mission effectiveness.

Using these same mobile work technologies we are exploring methods where we can increase the utilization efficiency of our anchor locations which will allow the department to consolidate in a smaller amount of space. We are working with GSA and their consultant to develop an updated plan.

The objectives of the plan are as follows:

- Realign component lease expiration schedules to coincide with rebase-lined St. Elizabeths development schedule
- Consolidate DHS locations using mobile workforce strategies and improved space utilization rates
- Shift portfolio occupancy from leased to federally owned locations as much as possible to achieve best value for the taxpayer
- Create an automated lease compression tool that can develop outcomes for various leasing scenarios
- Respond to the current budget climate

We are working with GSA and will provide an updated strategy to Congress as soon as it is completed.

QUESTION: Given the austere funding climate and probable extension of numerous leases, what is the revised projected cost savings for this effort?

ANSWER: DHS and GSA are working to update the mission support consolidation plan in view of the cancellation of the lease procurement due to lack of funding. The revised plan is still under development. It will focus on flexible workplace strategies to increase utilization of our anchor locations and compress our current 53 locations to as few as possible: The complete analysis will be provided for OMB review in the fall of 2012.

QUESTION: Until St. Elizabeths construction is completed and/or lease consolidation occurs, DHS will continue to house its headquarters and some other component agencies at the Nebraska Avenue complex. What are your current construction needs for this facility? Do you have adequate funding in your 2013 budget for these requirements?

ANSWER: DHS plans to retain the Nebraska Avenue Complex (NAC) to serve as an anchor location and to support critical DHS missions. DHS made significant investments in security, power and infrastructure that will support high security operations. GSA is currently developing a master plan for the campus that will set a course for continued improvement of the facilities. The routine upgrades that we undertake reflect the long-term strategy to retain the NAC as part of the DHS footprint in the NCR.

The current construction needs for the NAC include a campus-wide Emergency Notification System; adaptation and reinforcement of campus-wide Shelter-in-Place locations; emergency power upgrades; Flexible Workspace reconfigurations to increase space utilization and efficiency; renovations/upgrades to NAC Chapel for shared meeting space; and construction project management services, operations, maintenance, call center, moves, and furniture management. We requested \$5,448,000 in FY2013 which will allow DHS to complete upgrades and reconfigurations of space to support changing mission requirements; reconfiguration of workspaces in several NAC buildings to increase utilization and to implement Mobile Workforce Design; emergency power upgrades; planning and design for Shelter-in-Place locations; design and implementation of an Emergency Notification System; improvements to function of NAC Chapel as meeting space; and ongoing operations and maintenance of NAC spaces.

OUTSIDE WITNESSES

WRITTEN TESTIMONY

LYNN JENKINS, CPA
2ND DISTRICT, KANSAS

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**To be submitted for the record for the House Committee on Appropriations
Homeland Security Subcommittee Budget Hearing - Department of Homeland
Security Facilities - Under Secretaries on March 21, 2012.**

I would like to take this opportunity to thank this committee for past support of the National Bio and Agro-Defense Facility (NBAF) in Manhattan, Kansas, and remind the committee of the importance of continuing the federal commitment in the fiscal year (FY) 2013 budget.

The NBAF has been a Homeland Security priority for both the Bush and Obama administrations. In fact, President Obama's FY 2012 budget requested \$150 million to be used by the Department of Homeland Security (DHS) to match the \$205 million the State of Kansas and the local community have committed to construction of the facility.

Support for the NBAF is based on the need for the Departments of Homeland Security and Agriculture to replace the obsolete and expensive Plum Island Animal Disease Center (PIADC) in New York. PIADC does not contain the necessary bio safety level to meet the NBAF research requirements. The PIADC is only a bio safety level 3Ag (BSL-3Ag) facility and limited to researching one animal disease. The NBAF will be the first and only bio safety level 4 (BSL-4Ag) large animal bio containment laboratory in the United States.

To date, \$90 million have been appropriated toward construction of the NBAF facility. The first \$40 million in FY 2011 will cover half of the construction cost of the Central Utility Plant (CUP) and is matched by \$40 million from the State of Kansas. The second \$50 million was included in the FY 2012 appropriations, after this committee and the House approved \$75 million for the NBAF. After the Senate Agriculture Appropriations Subcommittee failed to include funds for the project, \$50 million were appropriated for the NBAF in the final FY 2012 budget.

The FY 2012 appropriations stipulated that the funds for NBAF would be available once 50 percent of design planning is completed and DHS submits a revised site-specific risk assessment (SSRA) that describes how to significantly reduce risks of conducting essential research and diagnostic testing at the NBAF and addresses the National Academy of Sciences' evaluation of the initial SSRA. Both requirements have been met as the design documents are currently 65 percent complete and DHS released the updated SSRA on March 2nd. The SSRA found that in the 50-year operating lifetime of the NBAF there is less than a 0.11% chance of an accidental release and subsequent outbreak of a virus when catastrophic events such as tornados

and earthquakes are taken into account and less than a 0.008% chance when catastrophic events are excluded.

NBAF will not only accelerate our Nation's ability to protect ourselves, our food supply and the agriculture economy from biological threats, it will also be the world's premier animal health research facility and further solidify our nation's place as the international leader in animal health research. With every day that passes, those that wish us harm are getting closer to sustaining an attack on our food supply. The construction of this cutting edge facility must move forward quickly so we can safely conduct critical research to develop vaccines and countermeasures in order to protect the public and our livestock from the threats of devastating diseases.

In closing, I would like to submit this letter which will highlight to the committee the local support that this project has in Kansas. The letter is from the City of Manhattan which explains the nearly \$5 million in financial commitments made to the NBAF project by the local community. Thank you again for the committee's past support of the NBAF in Manhattan, Kansas and I look forward to working with the committee in the future to complete this important facility.



Lynn Jenkins, CPA
Member of Congress



**STATEMENT OF COLLEEN M. KELLEY
NATIONAL PRESIDENT
NATIONAL TREASURY EMPLOYEES UNION
ON U.S. CUSTOMS AND BORDER PROTECTION ISSUES BEFORE
THE SUBCOMMITTEE ON HOMELAND SECURITY
HOUSE APPROPRIATIONS COMMITTEE**

February 29, 2012

Chairman Aderholt, Ranking Member Price, distinguished members of the Subcommittee; thank you for the opportunity to provide this testimony. As President of the National Treasury Employees Union (NTEU), I have the honor of leading a union that represents over 24,000 Customs and Border Protection (CBP) Officers and trade enforcement specialists who are stationed at 331 land, sea and air ports of entry (POEs) across the United States. CBP employees' mission is to protect the nation's borders at the ports of entry from all threats while facilitating legitimate travel and trade. CBP trade compliance personnel enforce over 400 U.S. trade and tariff laws and regulations in order to ensure a fair and competitive trade environment pursuant to existing international agreements and treaties, as well as stemming the flow of illegal contraband such as child pornography, illegal arms, weapons of mass destruction and laundered money. CBP is also a revenue collection agency, processing approximately \$2 trillion of imports--28 million trade entries a year--at the POEs and collecting more than \$32 billion in revenue for the U.S. government in fiscal year 2010.

CBP STAFFING AT THE PORTS OF ENTRY

There is perhaps no greater roadblock to legitimate trade and travel efficiency than the lack of sufficient staff at the ports. Understaffed ports lead to long delays in our commercial lanes as cargo waits to enter U.S. commerce.

Those delays result in real losses to the U.S. economy. According to a draft report prepared by the Department of Commerce, border delays in 2008 cost the U.S. economy nearly 26,000 jobs and \$6 billion in output, \$1.4 billion in wages, and \$600 million in tax revenues annually. According to the same report, by 2017, average wait times could increase to nearly 100 minutes, costing the U.S. more than 54,000 jobs and \$12 billion in output, \$3 billion in wages and \$1.2 billion in tax revenues. The cumulative loss in output due to border delays over the next ten years is estimated to be \$86 billion.

More than 50 million Americans work for companies that engage in international trade, according to the U.S. Department of the Treasury. If Congress is serious about job creation, then

Congress should support enhancing U.S. trade and travel by mitigating wait times at the ports and enhancing trade enforcement by increasing CBP security and commercial operations staffing at the air, sea, and land ports of entry.

In October 2009, the Southwest Border Task Force, created by Homeland Security Secretary Janet Napolitano, presented the results of its staffing and resources review in a draft report. This draft report recommended that the “federal government should hire more Customs [and Border Protection] officers.” The report echoes the finding of the Border-Facilitation Working Group. (The U.S.–Mexico Border Facilitation Working Group was created during the bilateral meeting between President George W. Bush and President Felipe Calderon held in Merida in March 2007.) “In order to more optimally operate the various ports of entry, CBP needs to increase the number of CBP Officers. According to its own estimate, the lack of human resources only for the San Ysidro POE is in the “hundreds” and the CBP Officer need at all ports of entry located along the border with Mexico is in the “thousands.” (“CBP: Challenges and Opportunities” a memo prepared by Armand Peschard-Sverdrup for Mexico’s Ministry of the Economy: U.S.-Mexico Border Facilitation Working Group, January 2008, pages 1 and 2.)

Despite these independent studies that state that CBP is understaffed at ports of entry by thousands of officers, the FY 2013 budget provides only enough personnel funding to maintain the current number of CBP Officer, CBP Agriculture Specialist and CBP trade operations positions.

NTEU urges the Committee to increase funding to hire additional CBP Officers and Agriculture Specialists to sufficiently staff existing booths and traffic lanes at the air, sea and land ports of entry.

Also of concern to NTEU in the FY 2013 budget request is the decrease of \$21 million in funding for inspectional overtime at the air, land and sea ports of entry. CBP states that “this reduction will not impact operational staffing.”

Overtime is essential when staffing levels are insufficient to ensure that inspectional duties can be fulfilled, that officers have sufficient back-up and that wait times are mitigated. In CBP’s own words, “Overtime allows OFO to schedule its personnel to cover key shifts with a smaller total personnel number.” This is one reason that Congress authorized a dedicated funding source to pay for overtime-- customs user fees, pursuant to Title 19, section 58c (f) of the U.S. Code. CBP collects user fees to recover certain costs incurred for processing, among other things, air and sea passengers, and various private and commercial land, sea, air, and rail carriers and shipments.

The source of these user fees are commercial vessels, commercial vehicles, rail cars, private aircraft, private vessels, air passengers, sea passengers, cruise vessel passengers, dutiable mail, customs brokers and barge/bulk carriers. These fees are deposited into the Customs User Fee Account. User Fees are designated by statute to pay for services provided to the user, such as inspectional overtime for passenger and commercial vehicle inspection during overtime shift hours. In addition, APHIS user fees and immigration user fees also fund “fee-related” inspection costs.

User fees have not been increased in years and some of these user fees cover only a portion of recoverable fee-related costs. For example, CBP collects the extraordinarily low fee of \$437 at arrival of a commercial vessel to a port to recover personnel and other costs to process and inspect the vessel's crew and cargo. This fee, however, is capped at \$5955 per calendar year; no matter how many times the commercial vessel enters a port that year. This fee was last raised from \$397 to \$437 in 2007, but the cap has remained at \$5955 since 1986. In 2010, CBP collected a total of \$19.9 million in Commercial Vessel user fees, but the actual cost of Commercial Vessel inspections in FY 2010 was \$33.6 million.

Another example of an extraordinarily low user fee is the fee paid by railcar owners of \$8.25 per car at arrival for processing and inspection, but the fee is capped at \$100 per railcar per calendar year. In 2010, CBP collected a total of \$8.6 million in rail car user fees, but the actual cost of rail car inspections in FY 2010 was \$18.9 million.

And Commercial Vehicles pay only \$5.50 per vehicle at arrival for processing and inspection, but the fee is capped at \$100 per vehicle per calendar year. In 2010, CBP collected a total of \$13.7 million in Commercial Vehicle user fees, but the actual cost of Commercial Vehicle inspections in FY 2010 was over \$113.7 million.

Also, according to the Government Accountability Office, (GAO-11-441T, page 19), CBP has a \$639.4 million unobligated balance in its Customs User Fee Account. These unobligated balances have remained in CBP's Customs User Fee Account for more than 10 years.

NTEU urges the Committee to clarify the purposes for which the \$640 million in unobligated balances in the Customs User Fee Account is available, allowing CBP to ensure that inspectional overtime is fully funded in FY 2012 and that other costs incurred for processing and inspection of international travelers and trade are recovered, as authorized by law.

TRADE ENFORCEMENT AND COMPLIANCE STAFFING

CBP has a dual mission of safeguarding our nation's borders and ports as well as regulating and facilitating international trade. It also collects import duties and enforces U.S. trade laws. In 2005, CBP processed 29 million trade entries and collected \$31.4 billion in revenue. In 2009, CBP collected \$29 billion—a drop of over \$2 billion in revenue collected. Since CBP was established in March 2003, there has been no increase in CBP trade enforcement and compliance personnel and again, the FY 2012 budget proposes no increase in FTEs for CBP trade operations personnel.

In effect, there has been a CBP trade staffing freeze at March 2003 levels and, as a result, CBP's revenue function has suffered. Recently, in response to an Import Specialists staffing shortage, CBP has proposed to implement at certain ports a tariff sharing scheme. For example, because CBP has frozen at 984 nationwide the total number of Import Specialist positions, CBP is reducing by 52 positions (from 179 to 127) the number of Import Specialists at the New York City area ports and shifting those positions to other ports. To address the resultant shortage of Import Specialists at New York area ports, CBP is implementing tariff sharing between the port

of New York/Newark and JFK airport. Currently, each port (Newark and JFK) processes all types of entries and all types of commodities via the Harmonized Tariff Schedule (HTS).

The reduction in trade personnel has resulted in each port being assigned only parts of the HTS and each port only processing half the commodities entering its port. Tariff sharing presents a number of operational problems with regard to trade personnel performing cargo exams on merchandise that is unloaded at the port of Newark, but the only commodity teams that are trained to process it are at JFK and, vice versa, when merchandise that can only be processed in Newark, is unloaded at JFK. CBP proposes that instead of physical examinations of the merchandise, digital photos can be exchanged between the ports. This is a short-sighted solution that shortchanges taxpayers, trade compliant importers, and the federal treasury.

The FY 2013 budget requests \$10 million for Intellectual Property Rights (IPR) enforcement enhancement. The Administration's request, however, includes no increase in CBP trade operations staff at the POEs to implement this trade enforcement program.

Lastly, the FY 2013 budget request proposes to cut 21 trade operations positions including 14 Rulings and Regulations staffers who are responsible for promulgating regulations and rulings, and providing policy and technical support to CBP, DHS, Treasury, Congress, and the importing community concerning the application of Customs laws and regulations.

NTEU urges the Committee not to cut CBP trade operations staff, but rather to increase funding to hire additional trade enforcement and compliance personnel, including Import Specialists, at the POEs to enhance trade revenue collection.

CBP CAREER LADDER PAY INCREASE

NTEU commends the Department for increasing the journeyman pay for CBP Officers and Agriculture Specialists. Many deserving CBP trade and security positions, however, were left out of this pay increase, which has significantly damaged morale.

NTEU strongly supports extending this same career ladder increase to additional CBP positions, including CBP trade operations specialists and CBP Seized Property Specialists. The journeyman pay level for the CBP Technicians who perform important commercial trade and administration duties should also be increased from GS-7 to GS-9.

RATIO OF CBP SUPERVISORS TO FRONTLINE CBP OFFICERS

CBP is continuing to increase the number of supervisors when a much greater need exists for new frontline hires. In terms of real numbers, since CBP was created, the number of new managers has increased at a much higher rate than the number of new frontline CBP hires. According to GAO, between October 2003 and February 2006, CBP increased the number of managers by 17 percent, but increased the number of frontline CBP Officers by only 2 percent (See GAO-06-751R, page 11).

Also, in December 2011, approximately 19,800 CBP Officers were in the field serving at the ports of entry and nearly 1,000 CBP Officers were serving either at CBP headquarters or

non-OFO field locations. The Committee may want to review why 5 percent of the existing CBP Officer corps is not assigned to frontline positions at the ports.

The tremendous increase in CBP managers and supervisors has come at the expense of national security preparedness and frontline positions. Also, these highly paid management positions are straining the CBP budget.

RECOMMENDATIONS

Sufficient CBP staffing must be provided to ensure security and mitigate prolonged wait times for both trade and travel at our nation's ports of entry. Therefore, NTEU urges the Committee to include in its FY 2013 DHS appropriations bill:

- **funding to significantly increase both port security and trade enforcement staffing at the Ports of Entry; and**
- **funding to extend enhanced pay and retirement recognition to additional CBP personnel, including Import and other Commercial Operations Specialists, CBP Seized Property Specialists and CBP Technicians.**

The more than 24,000 CBP employees represented by NTEU are proud of their part in keeping our country free from terrorism, our neighborhoods safe from drugs and our economy safe from illegal trade, while ensuring that legal trade and travelers move expeditiously through our air, sea and land ports. These men and women are deserving of more resources to perform their jobs better and more efficiently.

Thank you for the opportunity to submit this testimony to the Committee on their behalf.

Statement of the Institute of Makers of Explosives

Submitted by
Cynthia Hilton
Executive Vice President
chilton@ime.org

For the Subcommittee on Homeland Security
United States Senate

FY 2013 Infrastructure Security Compliance Division (ISCD) Budget Request

Interest of the IME

The IME is the safety and security association of the commercial explosives industry. Commercial explosives underpin the economy. They are essential to energy production, construction, demolition, and the manufacture of any metal/mineral product. Explosives are transported and used in every state. The ability to manufacture, transport, distribute, and use these products safely and securely is critical to this industry.

ISCD is standing up two programs that affect our membership – the Chemical Facility Anti-Terrorism Standards or “CFATS” program and the recently proposed Ammonium Nitrate Security program (ANSP). Some of our members are regulated under CFATS, and all will be regulated under the ANSP.

Ensuring the security of commercial explosives and precursor materials against unauthorized access and use has been a priority of IME members long before the events of 9/11. As proof of our success, less than 2% of destructive explosives devices used in bombings and attempted bombings in this country are filled with commercial explosives.¹

ISCD Issues

- **CFATS:** Those in our industry affected by this program and been working hard to meet deadlines for submissions of so-called “top-screens”, site vulnerability assessments, and site security plans (SSP). Our focus has been on identifying and ensuring that we have the means to meet the 18 specific risk-based performance standards (RBSP)² required for final SSP approval. While concerns were voiced about the lack of progress in fully implementing the CFATS program, we believed a major factor in the delay was the lack of permanent authorization for the program. We have been proactively working to achieve that end. In the meantime, we appreciate the efforts of the Subcommittee to be both the appropriator and authorizer for this program.

¹ Bomb Center Data, ATF, 2006.

² RBPS are particularly appropriate in a security context because they provide individual facilities the flexibility to address their unique security challenges. Using performance standards rather than prescriptive standards also helps to increase the overall security of the sector by varying the security practices used by different chemical facilities. Security measures that differ from facility to facility means that each presents a new and unique problem for an adversary to solve.

In the midst of these efforts, it was revealed that the program suffers from a number of internal management issues.³ Nothing in the internal review suggests that the legislative framework establishing CFATS is flawed. Rather, it is DHS' failure to provide adequate oversight and support that have resulted in program misdirection and implementation failures. Frankly, we applaud ISCD's new leadership that identified these issues and developed a plan to address them. Clearly, DHS has overstepped the role and responsibility Congress gave it. The result of this unfocused, mission creep is wasted human and financial capital. ISCD was not supposed to have law-enforcement powers. ISCD was not supposed to support a culture of cronyism, disrespect, and failed leadership. ISCD was not supposed to be staffed with individuals without the skills necessary to run a regulatory compliance program. ISCD was not supposed to mandate the means to achieve compliance with its performance standards, as it is attempting to do with the stand-up of a costly, duplicative personnel surety initiative.

We understand that permanent CFATS authorization may have to wait the outcome of DHS' ability to address the litany of pervasive internal management failures. During this period of re-evaluation, we cannot emphasize too strongly that this is not the time to entrust ISCD to implement a stand-alone personnel surety program. The CFATS personal surety program is identified in the November 2011 ISCD management memorandum as the agency's third highest programmatic priority. ISCD has taken the unorthodox approach of attempting to institute this program through an information collection request (ICR), rather than full notice and comment rulemaking as has been the approach used to establish every other Federal vetting program. This request is pending at OMB and DHS has predicted that it will soon be released.

Under CFATS, RBPS 12 establishes a four-part background check for all facility personnel, and as appropriate, for unescorted visitors with access to restricted areas. The four-part background check standards are consistent with the other background check programs administered by DHS, including measures to verify identity, to check criminal history, to validate legal authorization to work, and to identify people with terrorist ties. The latter standard is met by a check against the terrorist screening database administered by the Federal Bureau of Investigation. ISCD's approach to personnel surety runs counter to direction from the White House, with industry support, that DHS consolidate and streamline duplicative vetting programs and eliminate redundant background checks.⁴ As proposed, ISCD refuses to reciprocally recognize other, more robust Federal vetting programs as sufficient to meet the background check requirements of CFATS, and ISCD does not allow regulated facilities the option to meet its personnel surety standards by exercising DHS' discretionary authority to open the TWIC program to employees at CFATS facilities. ISCD's program will compel facilities to collect personal identifying information from a myriad of non-employees who are granted access to restricted areas – a liability many are unwilling to assume. It is expected that the site-by-site registration and access verification procedures will unnecessarily encumber facility access. Acknowledging these flaws, ISCD has said that it will “slowly rollout” the personal surety program with a promise to fix problems in the ramp up to full implementation after OMB gives clearance – basically turning initial implementation into a pilot program.

³ Management memorandum to Under Secretary Rand Beers from Penny Anderson, Director, and David Wulf, Deputy Director, ISCD, November 11, 2011.

⁴ This initiative has as its objective leveraging existing federal security background checks to implement the principle of “enroll once, use many” to reuse the information on individuals needing multiple access privileges. Transportation Security Administration's Transportation and Threat and Credentialing office is working on this goal through its Infrastructure Modernization program.

These personal surety program issues have been identified to the authorizing committees of the House and Senate. Correspondingly, this Subcommittee should bar ISCD from using any funds to implement this program until the authorizing committees have addressed these concerns. Ideally, ISCD would withdraw its ICR proposal and enable chemical facilities to satisfy the personal surety requirements of RBPS 12 by accepting evidence that individuals seeking access to restricted areas are appropriately vetted by existing federal background check programs that are at least equivalent to the CFATS standards. Additionally, individuals needing this access should be allowed to apply for and be vetted under these existing programs. These accommodations would save federal and private sector resources without any diminution in security.

- **ANSP:** ISCD is also responsible for the ANSP. The November 2011 management memo includes sections relevant to this program. The ANSP program, even more than CFATS, directly affects IME members.⁵ As unbelievable as it may seem, ISCD has proposed to institute a separate, unique chain-of-custody vetting program for those handling AN.⁶ All of the criticisms that have been raised about the personal surety program under CFATS could be repeated here and more. The ANSP vetting proposal would require the registration and face-to-face on-line verification of registration of anyone with possession of AN or transferring AN to another individual. This regulatory interpretation oversteps statutory authority authorizing the ANSP.⁷ This legislation restricts the registration and vetting requirements to those transferring ownership and possession. With this understanding, individuals engaged in the transportation of AN would not be covered, nor would individuals at facilities that do not have decision-making authority to direct the commerce of this product. The House Homeland Security Committee has reported legislation, HR 3116, that would exempt those engaged in the transportation of AN, as the security vetting of those individuals is handled by the Transportation Security Administration, and would limit vetting under the ANSP to those who individuals who both possess and transfer ownership of AN. As with CFATS, ISCD should allow individuals who possess and transfer ownership of AN to satisfy the vetting requirements of the ANSP through other equivalent federal security vetting programs, such as the vetting program administered by Bureau of Alcohol, Tobacco, Firearms, and Explosives for those that possess commercial explosives. As we recommended for CFATS, no new authority should be granted ISCD until the agency gets its internal house in order.

We do agree with the Action Plan proposal to integrate into a single cadre ANSP and CFATS inspectors. Dual training inspectors to function inter-changeably under both programs will optimize the use of these resources. We believe ISCD has the authority to do this administratively, though union issues may complicate the merger. Congress should monitor this situation.

⁵ In the 1950s, the explosives industry migrated away from nitroglycerin-based to AN-based explosives for safety reasons. Today about 99 percent of explosives are AN-based. Currently, we estimate that the explosives industry uses over 2 million metric tons of TGAN (technical grade AN) annually, 70 percent of the total AN consumed in the U.S. Almost all TGAN is stored, transported, and used in bulk. The smallest unit of sale in the United States is 1-ton "super sacks," not man-portable bags. Eighty percent of the AN received by our members is delivered by railcar (5% by barge and 15% by truck). For safety reasons, we estimate that we deliver 85 percent or more of AN directly to the end user where it is converted into explosive material. Of the 15 percent of AN pill that is manufactured into an explosive prior to delivery to the end user, about 90 percent is manufactured as "ANFO."

⁶ 76 FR 46908 (August 3, 2011).

⁷ 6 U.S.C. 488.

Conclusion

The commercial explosives industry has a long history of attention to the safety and security of the products that we produce. We look for opportunities to partner with DHS and ISCD to address shared concerns. On the matter of personnel vetting in both the CFATS and ANSP programs, we regret that ISCD has not yet been responsive to our suggestions to leverage existing equivalent federal programs to accomplish this task. The cost to American taxpayers, industry and the government to stand up redundant vetting programs has not been justified. Thank you for your attention to these concerns.

March 15, 2012

Testimony of George McCubbin, President
National Border Patrol Council
Submitted to the House Appropriations Subcommittee on
Department of Homeland Security Appropriations
March 16, 2012

On behalf of the National Border Patrol Council, the union representing U.S. Border Patrol Agents, we request that this statement be included in the hearing record on FY 2013 appropriations for the Department of Homeland Security. It is regarding the U.S. Customs and Border Protection proposal to reduce overtime compensation by eliminating the Administratively Uncontrollable Overtime (AUO) system, which includes Fair Labor Standards Act (FLSA) compensation and replacing it with Law Enforcement Availability Pay (LEAP). The net result would be to reduce the income of agents by about \$7,000 per year. The savings would be achieved not by reducing the number of hours agents work, but by reducing or eliminating compensation for those hours.

The CBP plan is an attempt to force a round peg into a square hole. It is based on the false assumption that Border Patrol Agents are able to control the amount of overtime they work. But when a group of illegal aliens or drug smugglers decide to make a move near the end of an agent's shift, he or she has no option but to pursue and arrest them. Failure to do so would be irresponsible and could result in the agent's dismissal. Under LEAP, an agent would be paid nothing for those hours.

Law Enforcement Availability Pay was conceived as a compensation system for criminal investigators because their overtime hours are, for the most part, tied to a specific case which requires the investigator to be available for work at any hour. Criminal investigators are often called back to work for

such tasks as witness meetings and surveillance activities. In the Border Patrol, almost all of the overtime occurs at the end of a shift and is tied to an apprehension or arrest and associated work such as filing an arrest report.

Current Law:

Under current law, a Border Patrol Agent is compensated at straight time for 85.5 of work per 2 week period. Hours worked beyond 85.5 but below 100 are compensated under Administratively Uncontrollable Overtime (AUO) as straight time and combined with FLSA allows agents to receive time and one-half. Any hours worked above 100 are compensated only under FLSA at one-half time.

CBP Plan:

As described above, the CBP plan would simply eliminate FLSA pay, leaving agents compensated at straight time for post shift law enforcement work and receiving no compensation for any additional hours worked. In addition to its inherent unfairness, the CBP plan would not accomplish two of the Agency's major objectives: 1) it would not reduce overtime worked (only overtime paid) and 2) it would not, in any way, provide conformity between overtime systems at CBP.

CBP Officers operate under an overtime system known as the Customs Officers Pay Reform Act (COPRA), a system more responsive to the requirements of CBP's Office of Field Operations. The system offers CBP Officers the possibility of receiving double time for most overtime work which makes it potentially more lucrative than the Border Patrol overtime system. No changes are proposed in COPRA under the LEAP plan, nor is that system a LEAP-based approach to overtime pay.

NBPC Plan

We believe we have come up with a better, fairer approach to compensating overtime and would like to see it considered by Congress as an alternative to LEAP. Our plan would also eliminate AUO, but would preserve FLSA compensation for hours worked above 95.5 hours. While agents will lose some of the time and one half compensation they were receiving under AUO, (they would receive straight time for the first 15.5 hours of overtime worked per 2-week period instead of the first 5.5 hours under current law) the plan preserves FLSA compensation for hours above the 95.5 threshold. In this way, agents involved in mandatory law enforcement activities at the end of shifts will at least receive some compensation for those additional hours worked.

In order to offset the costs of the plan, the NBPC proposes a one time 2-step across the board increase in pay for all agents. This increase would offset the partial loss of FLSA and allow agents to be "held-harmless" by the changes. They would see no net increase or decrease in pay under the NBPC plan.

Conclusion:

The CBP pay reform plan is inherently unfair, unnecessarily punitive and fails to address two problems it claims to solve. It is not a plan designed to reduce uncontrollable overtime, it is simply a plan not to pay for it. Uncontrollable overtime, for better or for worse, is a fact of life in today's Border Patrol. Unless the agency decides to direct agents to cease pursuits that occur at the end of a shift, the overtime incurred must be compensated. Thank you.



Practical Solutions for Immigrants and for America

**Appropriations for Department of Homeland Security,
U.S. Citizenship and Immigration Services**

Submitted by: Flavia Jimenez
Naturalization and Workforce Integration Project Director
National Immigration Forum

We are writing to support the Administration's request for \$11 million for the Immigrant Integration Initiative of the Office of Citizenship, an office within U.S. Citizenship and Immigration Services (USCIS) in the Department of Homeland Security.

Currently, there are approximately 8 million legal permanent resident immigrants (green card holders) living in the U.S. who are eligible to apply for U.S. citizenship. Many of these immigrants may need assistance preparing for the citizenship test or with navigating some aspect of the naturalization application process. There is currently an extraordinary network of non-profit public and private groups, many of which are immigrant service provider groups performing multiple immigrant assistance functions. These groups are often under-resourced for reaching out to and assisting immigrants who wish to prepare for citizenship.

In the last decade, the government has become increasingly aware of the value of speeding the integration of immigrants into our society. During the Presidency of George W. Bush, the Office of Citizenship was inaugurated. Its focus was on supporting integration of legal permanent residents by enhancing educational opportunities related to citizenship preparation and by producing and improving access to citizenship instructional materials.

Under the Obama Administration, the Office of Citizenship has continued to play a key role in immigrant integration by, among other things, leading initiatives to promote citizenship awareness and demystify the naturalization process for aspiring citizens; supporting national and community-based organizations that prepare immigrants for citizenship by providing grants, educational materials, and technical assistance; and building collaborative partnerships with state and local governments and non-governmental organizations to expand integration and citizenship resources in communities.

The Office's Immigrant Integration Initiative was launched in 2009 and included \$1.2 million in grants to non-profit partners, increasing their capacity to reach out to eligible immigrants, teach them the English and U.S. History and Government they need to know for the citizenship test, and assist them with the application itself. Also included in the initiative were an on-line naturalization resource center and a public awareness initiative, which encourages eligible immigrants to apply for citizenship.

In 2010, Congress appropriated \$11 million for the integration initiative. From that total, the Office of Citizenship awarded \$8.1 million to 78 organizations in 27 states and the District of Columbia for the purpose of helping immigrants prepare for citizenship or to help organizations build capacity to help immigrants prepare for citizenship. In 2011, Congress again supported this initiative with \$11 million. In Fiscal Year 2012, Congress zeroed out funding for this important investment.

America continues to be a nation of immigrants. We all have a stake in seeing that immigrants are quickly integrated into the fabric of our country. Government should continue to play a role in this process. We urge Congress to grant the Administration's request for funds to continue the Office of Citizenship's Integration Initiative.

USCIS Lacks Funding to Carry Out Activities Expected of It

USCIS is funded primarily from fees paid by U.S. citizens, U.S. businesses, and immigrants who pay the agency to process their applications for some immigration benefit, such as a work visa. However, the agency does much more than process the applications of fee-paying customers. It is charged with ensuring national security as it relates to immigration. It processes the applications of persons fleeing persecution and who are provided refuge by our government. These agency activities are paid for through what is essentially a hefty surtax on each application filed by fee-paying U.S. citizen, business, and immigrant applicant.

In recent years, immigration fees with these various surtaxes tacked on have become an increasing burden, particularly for low-income applicants. The Administration had begun to rethink the way the agency was funded. It asked for funding for activities that have no relationship to the processing of applications of fee-paying applicants—including the processing of refugee and asylum applications, and other functions.

Congress was originally open to the idea, allocating \$50 million in 2010, and \$25 million (supplemented by a re-programming request) in 2011. This funding mitigated the necessity of charging fee-paying applicants even more. For 2012, Congress provided no funding.

The Administration did not ask for funding for its fee reform efforts in its FY 2013 budget. Nevertheless we believe this funding is crucial if we continue to expect USCIS to perform the many activities it now

conducts that are not directly related to the processing of applications of fee-paying applicants. The more difficult it becomes for immigrants to shoulder these costs, the likely it is that many immigrants will postpone or forgo applying for a benefit.

We are particularly concerned that the high cost of the citizenship application, combined with rising surcharges to pay for unrelated costs, will discourage eligible low-income immigrants from applying for American citizenship. We are concerned that increasing fees will work at cross purposes to the goals of the agency's immigrant integration initiative—to encourage immigrants to become citizens.

We hope that in the future, Congress will again provide funding to USCIS to pay for the activities it expects the Agency to carry out, but which are now paid for by immigrants who must shoulder the burden of the cost of these activities.



Association of State Floodplain Managers, Inc.

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Outside Witness Testimony

Subcommittee on Homeland Security, House Committee on Appropriations

Larry A. Larson, Executive Director

Association of State Floodplain Managers

2013 FEMA Budget & Hazard Mitigation and Risk Identification Programs

March 20, 2012

The Association of State Floodplain Managers welcomes the opportunity to comment on the FY 2013 budget request for the Federal Emergency Management Agency. Specifically, our testimony will focus on the proposed budgets for flood risk mapping (\$89.3 million), for Pre-Disaster Mitigation (PDM) (\$0), for mitigation programs of the National Flood Insurance Program (\$120 million) and for a new National Preparedness Grant Program (NPGP) (\$1.5 billion).

The FY 2013 FEMA budget request is a mixed bag for hazard mitigation programs, including additional significant cuts to flood mapping, elimination of FEMA's only all hazards pre-disaster mitigation program, but increases in grants for some flood mitigation programs. Overall, however, the budget reflects a continued downward trend in the focus on hazard mitigation programs.

Dedicated to reducing flood risk and losses in the nation.

Natural disasters in 2011 were record setting, with fourteen events in the United States estimated to have caused over \$1 billion in damage. Four of those were flood events only and others involved significant flooding. This is the continuance of a trend of increased damages caused by flooding that has been occurring for over a decade. Flood damages have jumped from \$6 billion per year in the 1990s to nearly \$10 billion per year in the 2000s. Unfortunately the trend has been moving away from investment in hazard mitigation programs that assist communities to become more resilient following disasters.

Flood Hazard Mapping

Flood hazard mapping is the foundational piece of hazard mitigation. Not only does it provide data for hazard mitigation plans and projects but it also provides data for the general public to understand flood risks, and information for the implementation of local land use requirements and building codes. With the changing nature of flood risks and the significant backlog of needed mapping (Some areas of the country still have flood maps over 30 years old and some have never been mapped and/or lack engineering data.), the reduction in flood mapping funds from \$220 million in 2010 to \$89 million proposed in 2013 will only delay our identification and understanding of the risk faced by many Americans. Furthermore, there are demands by the public and Congress that flood mapping be made more accurate especially in areas protected by levees. FEMA's ambitious new flood mapping program, Risk MAP may now be significantly less effective should the mapping program support not be restored to prior levels of \$200 million or more.

While the Association of State Floodplain Managers acknowledges all budgets in the Federal government will likely be reduced to some extent, the disproportionate reduction in flood mapping funds makes little sense for a hazard that is the most frequent and one of the most costly in the United States. Mapping should be funded at earlier levels because communities need these maps to know where their risks are so they can take action to mitigate their risks, and thereby reduce the national risk.

Elimination of Pre-Disaster Mitigation (PDM)

Even more perplexing is the proposed elimination of the Pre-Disaster Mitigation (PDM) program. This program has resulted in numerous successes such as over 18,000 communities having developed and adopted hazard mitigation plans and all-hazard “sticks and bricks” mitigation projects being implemented that have permanently reduced future risk by getting existing, at-risk development out of harm’s way. It allowed states that didn’t have frequent disasters to tap into hazard mitigation resources to reduce their risks too. PDM is the pre-disaster complement to the Hazard Mitigation Grant Program (HMGP) that is triggered only after a federal disaster declaration.

ASFPM is very concerned about the effect of the elimination of PDM on hazard mitigation planning. Approximately 20% of PDM funds have been used to support the hazard mitigation plans of states and communities required by the Disaster Mitigation Act of 2000. These plans are required for eligibility for post-disaster mitigation assistance and are key to effective expenditure of mitigation funds. Further, it is unclear where future funds will come from to support ongoing mitigation plan updates.

PDM, which provides resources before an event happens as opposed to afterwards, is widely considered to be a successful program despite acknowledged problems with timely obligation of funds. ASFPM recommends that the Administration could and should look to models which would delegate the program to states to ensure obligation of funds will happen much more quickly. Since PDM was first funded (FY 2003), \$87,443,580 has been allocated toward requests from state and local governments for completion of 967 hazard mitigation plans. During that same time period, \$486,319,202 has been allocated for implementation of 532 cost-effective hazard mitigation projects. The return on this investment is projected to be at least \$1.95 billion based on the analysis of hazard mitigation costs and benefits conducted by the Multi-Hazard Mitigation Council (this report shows that investments in FEMA's hazard mitigation programs yield on average \$4 in benefits for every \$1 invested. For flood disasters, the ratio is \$5 in benefits for every \$1 invested). Also, these programs are cost shared with states and communities ensuring that they, too, are investing in their future resilience from hazards. ASFPM recommends retention of the program at least at the minimal FY '12 funding level of \$35.5 million.

Creation of new NPGP

ASFPM also cautions the Administration to thoughtfully proceed with the creation of a large multi-purpose grant program which folds together 16 grant programs ranging in focus from terrorism preparedness to natural hazard mitigation. Inclusion of mitigation as an eligible activity is the rationale for elimination of PDM. However, the "vision" document for this program clearly shows priorities are focused on funding activities that are not mitigation, and under the proposed framework mitigation priorities

will, in reality, be all but impossible to fund. Ultimately the National Preparedness Grant Program (NPGP) and National Preparedness Goal are aimed at readiness, not mitigation. While mitigation is a component of readiness (as it is a component of response and recovery) readiness is not a substitute for mitigation. ASFPM recommends that implementation of a new NPGP be delayed to allow for consultation with stakeholder groups. As presently envisioned, the program is likely to result in neglect of key functions of mitigation and resilience.

Increase in Funding for Mitigation Grants of the National Flood Insurance Program

ASFPM is very pleased that the Administration has proposed increasing its investment in flood mitigation programs under the NFIP – from a funding level of \$60 million in FY '12 to proposed FY '13 funding of \$120 million. These programs are largely, but not entirely, focused on properties which file repetitive flood loss claims. ASFPM notes that the budget assumes a streamlining of the Flood Mitigation Assistance Grants, the Severe Repetitive Loss program and the Repetitive Flood Claims program to achieve greater efficiencies. The greater commitment to elimination of repetitive loss properties from the National Flood Insurance Program is important to the NFIP's financial integrity.

About ASFPM

ASFPM and its 33 Chapters represent over 14,000 state and local officials and other flood risk professionals--website: <http://www.floods.org>. For any further questions on this testimony contact Larry Larson, ASFPM Executive Director, at larry@floods.org or 608-274-0123 or Meredith Inderfurth, ASFPM Washington Liaison, at 703-448-0245.

**Testimony for Melvin Bernstein, Ph.D.
Senior Vice Provost for Research & Graduate Education
Northeastern University
before the
Subcommittee on Homeland Security Appropriations
Committee on Appropriations
U.S. House of Representatives**

Chairman Aderholt, Ranking Member Price, Distinguished Members of the Subcommittee, thank you for the opportunity to submit outside testimony with respect to the proposed fiscal year 2013 budget for the Department of Homeland Security (DHS).

My name is Melvin Bernstein. I am currently the Senior Vice Provost for Research & Graduation Education at Northeastern University in Boston, where I oversee Northeastern's campus-wide planning efforts, and administrative and academic services with respect to research & graduate education, research facilities, and the research institutes & centers at the University. Formerly, I served as the first Director of the University Programs office at the Department of Homeland Security, and subsequently Acting Director of the DHS Office of Research and Development, Science and Technology Directorate.

As one who had primary responsibility for a significant portion of the extramural research programs within the DHS Science and Technology Directorate, including homeland security-related research at many of the U.S. Department of Energy's (DOE) National Laboratories when I was acting Director, at universities (particularly DHS Centers of Excellence) and at DHS-related laboratory facilities, I urge you to support the

Administration's request for the Science and Technology Directorate R&D, Acquisition and Operations Account for \$693.5 million.

Doing so would return the Directorate's budget to its FY2011 level, having sustained a 30 percent cut in the final FY2012 omnibus appropriations bill. This level of funding would also include \$40 million for the Centers of Excellence program, as well as modest increases in Research, Development and Innovation in cybersecurity and disaster resilience, among other priority research areas.

As you know, S&T is the primary federal research and development agency charged with strengthening America's security and resiliency by developing and fielding innovative technology solutions to guard against terrorist attacks and disasters. Of particular importance to universities, S&T collaborates with university partners to protect our nation's ports, coasts, borders and transportation infrastructure, prevent terrorist and cyber attacks, and help make our communities more resilient. While S&T pursues research on technologies similar to those developed by the military, homeland security end-user needs are sufficiently different and require separate development.

At Northeastern, we believe universities have an obligation to play a leading role in protecting the safety and security of the nation. In response to the steep funding reduction that S&T suffered last year, in January a coalition of university presidents led by Northeastern President Joseph E. Aoun, wrote to Secretary Napolitano to urge the agency to work with the higher education community to ensure that this vital university research continues in partnership with DHS.

While S&T has undergone several reorganizations in recent years at Congress' direction, the Directorate continues to work to address a wide range of programs, including DHS customer agencies' near-term needs for new operational capabilities and improved operational effectiveness, efficiency and safety. S&T also has responsibilities related to understanding and creating solutions to biological and chemical threats, and to conducting the research and development (R&D) required to meet homeland cyber security needs.

An essential component of S&T's mission is basic and applied research, which will lead to critical breakthroughs in national security. While Congress is right to focus on protecting the taxpayers' investment, the University Programs Centers of Excellence initiative, through which universities undertake needed basic research facilitating translation to applied research and development on a fast-turnaround basis, has demonstrated a significant positive return. In conjunction with industry partners and national laboratories, university contributions in developing new security technologies – from advances in explosives detection to development of underwater sensors to mitigating the effects of natural disasters – argues for further investment.

For example, the Awareness and Localization of Explosive-Related Threats (ALERT) Center of Excellence, based at Northeastern, is focused on transitioning research into field-able systems driven by challenges such as ultra-reliable screening of luggage, cargo and potential suicide bombers, explosive detection at a distance, and unequivocal pre- and post-blast mitigation. The ALERT Center works closely with private sector industry collaborators to improve state-of-the-art security screening technologies and make

recommendation for future directions in both research and policy to make screening more effective and less intrusive.

DHS's continued research collaboration with academic partners is a win-win-win that is vital to improving homeland security. The government gets solutions tailored to its needs on a fast turnaround basis. Universities employ some of the best students in an effort to develop new technologies. And the next generation of STEM professionals receives the skills and training necessary to enter into homeland security careers that benefit the nation.

At Northeastern, we have made our own sizable investment in homeland security research. Last fall, Northeastern opened the George J. Kostas Research Institute for Homeland Security, a new 70,000 square foot research facility located in the heart of the metro-Boston high-technology corridor, whose mission is to advance resilience in the face of 21st Century risks. The institute will foster collaborative, use-inspired research aimed at expanding the capacity of communities, critical systems, and infrastructure to withstand, respond to, and recover from manmade and natural catastrophes. Our new facility offers a secure environment for innovative translational research conducted by private-public-academic multidisciplinary research teams.

The Kostas Research Institute also seeks to advance the nation's resilience to cyber attacks, as well as other disruptive 21st century risks. The Institute provides a unique translational capability to seamlessly transition fundamental academic findings in broad areas to critical applications, even those carrying restrictions. The facility is an ideal

research nexus for government entities and other research or academic institutions.

Private–public multidisciplinary research teams will work on a range of areas, including cybersecurity and campus resilience.

No challenge is currently more serious to governments, industry, and consumers than potential attacks on our information pipelines. The security of our public and private cyber networks is vital to protect national security, transportation systems, reliability of the electric grid, and banking and financial systems. Importantly, the S&T budget request includes \$64.5 million for vital cybersecurity research, which would allow DHS to begin carrying out a coordinated federal cybersecurity research and development initiative contemplated by comprehensive cybersecurity legislation currently pending in both branches.

In today’s challenging fiscal environment, S&T must be a responsible steward of taxpayers’ dollars and must address critical technological challenges in an efficient and cost-effective manner. I believe the Administration’s request accomplishes both of these critical goals while safeguarding the security of our nation.

Thank you again for the opportunity to provide written testimony. I hope you will contact me if you have any questions.

Statement for the Record

By Hui-Shan Walker, CEM ®, President

U.S. Council of the International Association of Emergency Managers (IAEM-USA)

On the FY 2013 Appropriations for the Federal Emergency Management Agency

Department of Homeland Security

For the Subcommittee on Homeland Security, Committee on Appropriations

U.S. House of Representatives

March 20, 2012

Chairman Aderholt, Ranking Member Price, and distinguished members of the Subcommittee, I am Hui-Shan Walker, the Emergency Management Coordinator for Hampton, Virginia. I have been a local government emergency manager for 12 years and before that worked for five years in the Red Cross' Disaster Services. I serve currently as the President of the U.S. Council of the International Association of Emergency Managers (IAEM-USA); and, I am providing, on its behalf, this statement on critical budget and policy issues for the Federal Emergency Management Agency (FEMA).

Regarding FEMA's FY 2013 budget, IAEM-USA supports funding the Emergency Management Performance Grant at \$350 million and the Emergency Management Institute at \$18,305,000. IAEM-USA opposes the termination of the Pre-Disaster Mitigation Program. We urge rejection of the National Preparedness Grant Program until adequate details are available and key local stakeholders have had input. We deeply appreciate the support this subcommittee has provided to the emergency management community over the past few years, particularly your support for the Emergency Management Performance Grant Program (EMPG).

Emergency Management Performance Grants (EMPG)

IAEM-USA respectfully urges that the Subcommittee approve the President's request of \$350 million for EMPG, but continue to reject combining it with other accounts. EMPG is fundamentally different than the post September 11, 2001, Homeland Security Grants because of its 50% Federal and 50% state and local matching requirements and established performance measures. It also pre-dates the Homeland Security grants by over 50 years. We further request that language be included continuing to make it clear the funding is all hazards and can be used for personnel. The program was authorized at \$950 million for FY 2012 in Public Law 110-53.

EMPG, called "the backbone of the nation's emergency management system" in an Appropriations Conference Report constitutes the only source of direct federal funding for State and local governments to provide basic emergency coordination and planning capabilities for all hazards including those related to homeland security. The program is authorized by P.L. 110-53 for the Administrator of FEMA "to make grants to States to assist State, local, and tribal governments in preparing for all hazards, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)." The legislation creating EMPG is purposefully broad to allow State, local, and tribal jurisdictions to focus their attention on customizing their capabilities. Therefore, it is important that FEMA guidance not be written to make "one size fit all" but instead to allow each local jurisdiction maximum flexibility in meeting the specific capability requirements. The program supports State and local initiatives for planning, training, exercise, mitigation, public education, as well as response and recovery coordination during actual events. EMPG succeeds in achieving its goal. As the 2011 IAEM-USA survey report *Emergency Management Performance Grant Funds: Return on Investment at*

the Local Level demonstrated, EMPG funds contribute to bring about coordination, integration, and collaboration within local level jurisdictions across the country. The report on our fifth annual IAEM-USA survey of EMPG is available at:

<http://www.iaem.com/documents/IAEM.EMPG.ROI.Survey.Report3.5.12.pdf>. Since all disasters start and end at the local level, it is vital that capacity continue to be built at this level.

Funding from EMPG has always been important to local government emergency management offices and is even more vital during the current economic downturn. The programs of most of our local emergency managers have faced, or will be facing, budget reductions resulting in reduced staffing, reduced training, reduced public outreach, and reduced support to volunteers. Some elected officials are considering reducing their commitment from a full-time emergency manager to a part-time emergency manager. Some jurisdictions are terminating the emergency management position altogether and simply adding the responsibilities associated with emergency management functions to pre-existing personnel in other departments. This has the effect of actually reducing emergency management services – and potentially preparedness – in many areas of the country at a time when disasters and emergencies threaten more people and property than ever before. EMPG funding frequently makes a difference as to whether or not a qualified person is present to perform these duties in local jurisdictions. It should be noted that many local emergency management programs have historically provided significantly more than the 50% match that is required for their EMPG allocations.

Emergency Management Institute (EMI)

We respectfully urge the Subcommittee to increase the funding for the Emergency Management Institute (EMI) located at Emmitsburg, Maryland, by \$500,000 to \$18,305,000.

The additional funds will support continued development and delivery of the National Emergency Management Academy foundation classes and support the development of training at the Specialty and Executive Management levels, to include the enhancement of the field (G) and on-campus (E) courses. These programs support both the introductory training and continued professional development of Federal, State, local and tribal emergency managers across the nation. IAEM-USA urges you to again specifically designate funding for EMI in your Committee Report and to require FEMA to include a specific request in the budget documents. The Emergency Management Institute (EMI) provides vitally needed training to State, local and tribal government emergency managers through on-campus classes, a curriculum developed for field deployment and distance learning. This “crown jewel” of emergency management training and doctrine has made progress over the past two years with the funding support of Congress, in the update and development of critically needed programs. Sustained funding for the continuance of existing programs and funds to complete the much needed Executive Management Series of courses is vital to supporting local and tribal emergency management programs. For 2011-2012 EMI had more than 5.5 million active students; 39,559 classroom course completions and 2,275,174 independent study program outline course completions.

Pre-Disaster Mitigation (PDM)

We urge the committee to reject the proposal to terminate the Pre-Disaster Mitigation Program and provide a minimum of \$35,500,000 as appropriated in FY 2012. A Congressionally-mandated independent study by the Multi-Hazard Mitigation Council, a council of the National Institute of Building Sciences, showed that on the average, a dollar spent by FEMA on hazard mitigation (actions to reduce disaster losses) provides the nation about \$4 in future benefits.

National Preparedness Grant Program (NPGP)

The proposed NPGP raises concerns and questions for those at the local level. It would seem to do away with the 9/11 act requirement to pass 80% of the funds through and create a state centric block and competitive grant program. The proposed use of a Threat and Hazard identification and Risk Assessment (THIRA) also does not describe the role of locals or how to handle a disagreement on the results. We urge you to reject this proposal until there are sufficient details to discuss it and local stakeholders have had opportunity for input.

Conclusion

In conclusion, we urge the Subcommittee to continue to build State and local emergency management capacity by funding EMPG at \$350 million and retaining it as a separate account. We urge increasing funding for the Emergency Management Institute by \$500,000 to \$18,305,000. We urge that the Pre-Disaster Mitigation Program not be terminated.

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IAEM-USA is our nation's largest association of emergency management professionals, with 5,000 members including emergency managers at the state and local government levels, tribal nations, the military, colleges and universities, private business and the nonprofit sector. Most of our members are U.S. city and county emergency managers who perform the crucial function of coordinating and integrating the efforts at the local level to prepare for, mitigate the effects of, respond to, and recover from all types of disasters including terrorist attacks.

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