

DEPARTMENT OF HOMELAND SECURITY  
APPROPRIATIONS FOR 2016

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HEARINGS  
BEFORE A  
SUBCOMMITTEE OF THE  
COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED FOURTEENTH CONGRESS  
FIRST SESSION

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**DEPARTMENT OF HOMELAND SECURITY**

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**DEPARTMENT OF HOMELAND SECURITY  
APPROPRIATIONS FOR 2016**

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WEDNESDAY, APRIL 15, 2015.

**IMMIGRATION AND CUSTOMS ENFORCEMENT**

**WITNESS**

**SARAH R. SALDANA, DIRECTOR, IMMIGRATION AND CUSTOMS ENFORCEMENT**

Mr. CARTER. Director Saldana, welcome to the subcommittee. We are happy to have you here. I believe this is the first time we have had a chance to visit with you and we are looking forward to having you. Today's hearing is your first as director of the Immigration and Customs Enforcement, ICE.

Director Saldana comes to this position from the great State of Texas. She is a fellow Texan. We will try to be nice to her. There she served as the U.S. Attorney for the Northern District of Texas. Prior to that, she served as the Assistant U.S. Attorney and prosecuted a variety of criminal cases including human trafficking, public corruption, and bank and mortgage fraud.

Director, you have a challenging job. Enforcing immigration and customs laws and investigating and dismantling transnational criminal organizations is not easy, but it is essential. We look forward to working with you and the men and women at ICE and encourage you to keep us as well informed as you can of all operations.

All in all, the President's budget request for ICE is pretty good. Overall, spending is at \$6.3 billion which is \$16 million below fiscal year 2015.

As required by law, the request includes \$2.4 billion for 34,040 detention beds of which 31,280 are for adult detention and 2,760 for families; \$122 million is for alternatives to detention to monitor an estimated 53,000 aliens, and funds sufficient to cover the cost of 6,200 criminal investigators and 5,800 deportation officers and immigration enforcement agents.

Though these recommendations are sound, I have a few concerns. First and foremost, the budget assumes funding for 100 percent staffing, yet, according to preliminary budget analysis, the number of onboard investigative staff is far lower than budgeted. Whether they can be hired before the end of the fiscal year is questionable. In fact, I wonder whether you can spend the funds appropriated in fiscal year 2015 appropriations package.

Next, I am pleased that the request assumes funding for 34,040 detention beds as mandated by law. I am surprised, however, that the request for 2,760 family units is 972 units lower than last year.

Last September, the Administration requested funds for 3,732 new family detention units and Congress provided appropriations to that level. Reduction indicates a portion of the funds provided in fiscal year 2015 are no longer necessary, and we need to get to the bottom of this.

Before I turn to Ms. Saldana for her statement, the text of which will be included in the record, I would like to recognize the distinguished ranking member, Ms. Royal-Allard, for any remarks that she may wish to make.

[The information follows:]



## **Chairman John Carter**

*Subcommittee on Homeland Security  
House Committee on Appropriations*

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**FY 2016 Budget Hearing  
U.S. Immigration and Customs Enforcement  
April 15, 2015  
Opening Statement As Prepared**

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Director Saldaña, welcome. We are glad to have you. Today's hearing is your first as Director of Immigration and Customs Enforcement (ICE). Director Saldaña comes to this position from the great state of Texas...where she served as the U.S. Attorney for the Northern District. Prior to that, she served as an Assistant U.S. Attorney, and prosecuted a variety of criminal cases, including human trafficking, public corruption, and bank and mortgage fraud.

Director...you have a challenging job. Enforcing immigration and customs laws, and investigating and dismantling transnational criminal organizations, isn't easy...but it is essential. We look forward to working with you, and all the men and women at ICE, and encourage you to keep us well informed of all operations.

All in all, the President's budget request for ICE is pretty good. Overall spending is at \$6.3 billion, which is \$16 million below fiscal year 2015. As required by law, the request includes \$2.4 billion for 34,040 detention beds, of which 31,280 are for adult detention and 2,760 are for families; \$122.5 million is for alternatives to detention to monitor an estimated 53,000 aliens; and funds sufficient to cover the costs of 6,200 criminal investigators and 5,800 deportation officers and immigration enforcement agents.

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Next, I am pleased that the request assumes funding for 34,040 detention beds—as mandated by law. I'm surprised, however, that the request for 2,760 family units is 972 units lower than last year. Last September, the Administration requested funds for 3,732 new family detention units, and Congress provided appropriations to that level. A reduction indicates a portion of the funds provided in fiscal year 2015 are no longer necessary. We'll have to get to the bottom of this.

Before I turn to Ms. Saldaña for her statement, the text of which will be included in the record, I'd like to recognize the distinguished Ranking Member for any remarks she wishes to make.

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Ms. ROYBAL-ALLARD. Thank you, Mr. Chairman.

And good morning, Director Saldana, and congratulations on your confirmation as director. And welcome to your first appearance before this subcommittee.

Of the fiscal year 2016 discretionary budget request for U.S. Immigration and Customs Enforcement, \$5.97 billion which is a slight increase of \$6.3 million above the fiscal year 2015 level, the total includes \$345 million for 2,760 family detention beds which is nearly 20 percent of the overall detention budget. And this extremely costly proposition is one of the issues which I will be asking you about this morning.

Also when the secretary testified before the subcommittee a few weeks ago, I mentioned to him that the toughest mission for the department is the enforcement of our immigration laws because it exposes a tension among values we as Americans hold dear such as obeying the law, protecting children, and keep families together.

While I realize we cannot open our borders to everyone who wants to come here for a better life, I do believe that it is important to keep those values in mind. And this will help to ensure that as we discuss your agency's immigration enforcement mission, we do so in the context of ensuring individuals are treated humanely and afforded due process under our laws.

ICE has many areas of responsibility where it deserves credit for its performance. And I would just to like to highlight a few of those.

Last year, ICE dismantled eight alien smuggling organizations involving the arrest of 37 smugglers. ICE also identified and provided assistance to 446 human trafficking victims and more than 1,000 child exploitation victims. And just last week, among other things, ICE announced the arrest of 19 individuals wanted for murder and 15 for rape.

As I mentioned earlier, however, there are areas where I have significant concerns such as the exorbitant cost of family detention beds. Other areas I would like to discuss have to do with how ICE is making use of alternatives to detention and the status of implementing and adhering to the agency's revised enforcement priorities.

I also hope we will have time this morning to focus on your important investigative missions, most of which are not directly related to immigration enforcement, including human trafficking and child exploitation.

So thank you again for being here and I look forward to our discussion this morning.

[The information follows:]

**Congresswoman Lucille Roybal-Allard (CA-40), Ranking Member  
Subcommittee on Homeland Security, House Committee on Appropriations**

**Immigration and Customs Enforcement FY 2016 Budget Hearing  
Opening Statement as Prepared  
April 15, 2015**

Good morning, Director Saldaña. Congratulations on your confirmation as Director, and welcome to your first appearance before this subcommittee.

The Fiscal Year 2016 net discretionary budget request for U.S. Immigration and Customs Enforcement is \$5.97 billion, which is a slight increase of \$6.3 million above the Fiscal Year 2015 level. The total includes \$345 million for 2,760 family detention beds, which is nearly 20 percent of the overall detention budget. This extremely costly proposition is one of the issues which I will be asking you about this morning.

Also, when the Secretary testified before the subcommittee a few weeks ago, I mentioned to him that the toughest mission for the Department is the enforcement of our immigration laws, because it exposes a tension among values we, as Americans, hold dear – such as obeying the law, protecting children, and keeping families together.

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As I mentioned earlier, however, there are areas where I have significant concerns, such as the exorbitant cost of family detention beds. Other areas I would like to discuss have to do with how ICE is making use of Alternatives to Detention, and the status of implementing and adhering to the agency's revised enforcement priorities.

I also hope we will have time this morning to focus on your important investigative missions, most of which are not directly related to immigration enforcement, including human trafficking and child exploitation.

Thank you again for being here, and I look forward to our discussion this morning.

Mr. CARTER. All right, Director. We now will recognize you for a summation of what you have submitted to the committee in approximately five minutes, if you can.

Ms. SALDANA. Thank you, sir.

And I do not seem to have a working thing, but that is not unusual, I guess. Somebody will hit me with a hammer or something if—

Mr. CARTER. Are you pushing the button? It should light up green when you are ready to talk. Does it not work?

Ms. SALDANA. Can you hear me? I mean, I do not think it is going to be hard to hear me.

Mr. CARTER. I think your mike is on.

Ms. SALDANA. Okay. Thank you, sir.

You are right. This is my first appearance before this committee. I was just with Judiciary Committee yesterday and we had some lively conversation. I think I am prepared for you all today. I will thank the Judiciary Committee later.

From my early days as an Assistant United States Attorney just cutting my teeth on the immigration docket to the time that I have spent here, a little bit short of four months as the director of ICE, I have seen firsthand over these several years the commitment, dedication, and hard work shown by the agents, the international staff, the lawyers, mission support staff, all our folks at ICE and am very, very proud to be serving as the director.

I get kidded a lot about that, but I will tell you that this is the place I should be right now in this critical moment in our history.

As you all know, ICE has about 400 laws we have to enforce. As a U.S. Attorney, I had about 3,000 plus that I had to enforce in the North Texas area. I appreciate the importance of the mission of ICE, Homeland Security, National Security, enforcement of customs laws, smuggling activities, transnational crime, and I know that you all do as well.

And I am really looking forward to a productive relationship because that is why I am here is because I would like to attempt in the short time I have to do the best I can for the country and for this agency which I am very proud to lead.

I am pleased with our 2016 budget submission of \$6.28 billion. It is very much in line with the 2015 enacted budget for which we are very, very grateful. Following years of sustained and painful budget cuts as well as the threat of sequestration and shutdowns, you all can imagine how difficult it has been to manage our finances.

But now with this budget, I think it will strengthen our financial footing to enable ICE to expand efforts that are core to its mission including immigration, the transnational crime and investigations you spoke about, Ranking Member Roybal-Allard, and investment in information technology needed to meet the security challenges of this 21st century.

These areas along with the improvement of morale at our agency actually parallel my own goals for the agency. And I am very much focused on cyber security and homeland investigations and counter-terrorism work and focusing our efforts on those people who are immigrants, undocumented immigrants in the country who pose a threat to our communities.

So as the principal investigative arm of the department, the Office of Homeland Security Investigations, we refer to it as HSI, does criminal investigations to protect the United States against terrorism and other criminals and to bring to justice those seeking to exploit our customs and immigration laws worldwide.

Notably in 2014, ICE investigations led to the disruption or dismantlement of 520 transnational criminal organizations. And I cannot tell you how impressed I am. I have now visited one, two, three, four, five, six countries in the less than four months that I have been onboard including going around the world. I did go around the world on one trip and lived to tell about it.

And I am just so impressed with our international people, our attaches, our deputy attaches, and the tremendous support they bring to our investigations. It is critical to have those folks out there obviously as well as our domestic agents.

In connection with those investigations, we made more than 32,000 criminal arrests and seized more than 2.3 million pounds of narcotics, 23,000 weapons, and \$722 million in currency aligned with our financial investigations.

The President's budget requests \$1.99 billion for ICE to continue these investigative efforts. Specifically the budget increases domestic investigative capacity to hire special agents and investigative support staff, an area that is very critical.

And I do understand your concerns, Mr. Chairman, with respect to the hiring and that is an area that is of utmost importance to me. We are up and running and have interviews and other things already in effect and I will be happy to fill you in more detail.

The budget also requests \$26 million, additional dollars for human smuggling and human trafficking which is an area that I prosecuted substantially when I was an Assistant United States Attorney.

To prioritize the removal of those living unlawfully in the United States, ICE devotes its resources to areas that hold the highest risk to our communities.

In 2014, I think you have seen the numbers, we removed 316,000 individuals unlawfully present in the United States. More than 213,000 of these were apprehended while or shortly after attempting to cross our borders and 102,000 were apprehended in the interior of the United States.

I should point out that 85 percent of those interior removals were of immigrants previously convicted of criminal offenses. That is an 18 percent increase over prior years, 2011 in particular, and it reflects the agency's renewed focus on aggressively targeting and removing the worst criminal immigrants, security threats, felons, gang members, and the like.

This budget for 2016 requests \$3.3 billion to deter illegal entry into the United States with full funding for the 34,040 beds you mentioned, Mr. Chairman, including family units, 129 fugitive operation teams, a very important part of what we do, and increased use of alternatives to detention that effectively manage risk while also reducing the detention costs the ranking member mentioned earlier.

Of course, the other side of this coin is the work of our attorneys whose work is vital to moving cases along so that we can remove

people, so we can get a final order and a disposition with respect to those people we want to see removed. And the attorneys are vital in that.

With the new attorneys that we are requesting, we think we can address their very heavy workloads and decrease the average length of stay of detainees which, as you all know, can get very expensive very quickly.

The 2016 President's budget also requests \$73.5 million to improve ICE's information technology infrastructure and applications. It is old. In order to manage, I have to review data all the time. In order to oversee our operations, you all need to review data all the time. And this \$73.5 million is critical.

Due to reduced budgets and sequestration, ICE's capital investment budget has decreased by 71 percent from a high of \$90 million in 2010 to \$26 million this year.

Some of the systems are reaching the end of their life while others need to be modernized to improve interoperability, data sharing, and reporting capabilities to you and to the American people. I cannot emphasize enough how critical investing in our information technology is for our investigative and enforcement capabilities.

I just want to conclude by thanking you for your continued support and I am ready to answer any questions you may have.

[The information follows:]



# U.S. Immigration and Customs Enforcement

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STATEMENT

OF

SARAH R. SALDAÑA

DIRECTOR

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

Regarding

The President's Fiscal Year 2016 Budget Request

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

WEDNESDAY, APRIL 15, 2015 – 10 AM

**INTRODUCTION**

Chairman Carter, Ranking Member Roybal-Allard, and distinguished Members of the Subcommittee:

Thank you for the opportunity to appear before you today to present the President's Fiscal Year (FY) 2016 budget request for U.S. Immigration and Customs Enforcement (ICE). I look forward to discussing with you our priorities for the upcoming fiscal year and highlighting our continued efforts to ensure that we make the most efficient and effective use of the resources Congress provides in carrying out our critical mission.

I was sworn in as the Director of ICE on December 23, 2014. Since then, I have had the privilege of meeting personally with the Chairman and Ranking Member to share my vision for ICE and to learn more about their individual priorities and interests. In the coming weeks, it is my hope that I will have the same opportunity to sit down with each of you, to get to know you personally and to learn more about your specific interests.

In these first few months, I have met with many of the men and women of ICE and learned more about our key operational and resource issues. I have become familiar with our budgeting and management as well as our strong relationship with our interagency colleagues, international partners and industry stakeholders. I have taken steps to enhance ICE's ability to achieve its primary goal of enforcing our nation's immigration laws and keeping our country safe by ensuring that we focus our resources on individuals that pose the greatest threat to our national security and public safety.

I have also participated in high-level discussions with my counterparts in Mexico about working together to conduct joint investigations with a nexus to the United States, and expedite the return of Mexican nationals. I have met with government officials from Honduras,

Guatemala and El Salvador. We have each pledged to do our part to stem the tide of foreign nationals trying to make the journey to enter the United States illegally. I fully appreciate the challenges we face in furthering our diverse mission and I relish the opportunity to take full advantage of the resources available to us, including the support of Congress and this Committee.

### **Fiscal Year 2016 Budget Request**

Today, in my first appearance before you, I would like to take this opportunity to thank you for your continued support of ICE as we execute our vital homeland security mission. I also want to thank you personally for your recent efforts to ensure that DHS was funded through the remainder of this fiscal year. With that cloud of uncertainty lifted, we can now focus our energy on meeting the new and ever growing national security and public safety challenges.

I am very proud to lead ICE, the principal criminal investigative arm of DHS, and one of its component agencies charged with enforcing and/or administering the nation's immigration laws. Currently, ICE has nearly 19,000 employees in offices located in all 50 states, 3 U.S. territories, and 46 foreign countries, and primarily consists of two operational programs: Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI).

Our agency faced a number of challenges over the past year. As you well know, ICE shifted resources to respond to the influx of Central American families and unaccompanied children illegally crossing into the United States through the Rio Grande Valley area in South Texas. In coordination with other DHS agencies, ICE detailed and/or transferred nearly 800 personnel and additional resources to address the challenges posed by this unprecedented migration; transferred nearly 60,000 unaccompanied children to U.S. Department of Health and

Human Services custody, pursuant to obligations under federal law; and expanded our extremely limited family detention capacity to help address the influx of family units. We are working both domestically and internationally to monitor current conditions in order to identify any recurrence as early as possible, both within the Department and with other federal agencies, in an effort to prevent another such influx.

The President's FY 2016 budget request for ICE is \$6.282 billion in discretionary funding and mandatory fee authority, and is in line with the FY 2015 enacted budget. Following years of sustained and painful budget cuts, the President's FY 2016 budget request will strengthen our financial footing and enable ICE to expand efforts in the following core areas: civil immigration enforcement; criminal investigations, including human smuggling and human trafficking; and investment in information technology needed to meet the security challenges of the 21<sup>st</sup> Century.

#### **CIVIL IMMIGRATION ENFORCEMENT**

Our civil immigration enforcement efforts are led by the just under 5,700 law enforcement officers who make up ERO. These dedicated officers enforce our nation's immigration laws by identifying and apprehending priority aliens, detaining these individuals when necessary, and removing them from the United States.

Under the new department-wide, three-tiered enforcement and removal guidance issued by the Secretary in November 2014, the top priority includes national security threats, convicted felons, gang members, and illegal entrants apprehended at the border. The second-tier priority includes those convicted of significant or multiple misdemeanors and those who are not apprehended at the border, but who entered or reentered this country unlawfully after January 1,

2014. The third-tier priority includes those who are non-criminals but who have failed to abide by a final order of removal issued on or after January 1, 2014.

In FY 2014, ICE removed or returned 315,943 aliens. Of these, 213,719 were apprehended while, or shortly after, attempting to illegally enter the United States and 102,224 were apprehended in the interior of the United States. This fiscal year, through April 4, 2015, ERO has conducted nearly 118,000 removals or returns, 69% of which were apprehended while, or shortly after, attempting to illegally enter the United States and 26,617 of which were Level 1 criminal aliens.

Our FY 2016 request provides resources to build on these results with specific focus on four critical priorities:

*1) Detention Beds*

To meet the operational needs to detain and remove both criminal aliens and recent border entrants, this budget requests funding for 34,040 detention beds. The President's budget funds 31,280 adult beds at an average rate of \$123.54 per day and 2,760 individuals housed in family residential centers at an average daily rate of \$342.73. This level of beds will allow ICE to detain mandatory as well as the highest-risk, non-mandatory detainees. ICE will ensure the most cost-effective use of our appropriated funding by focusing costly detention capabilities on priority and mandatory detainees, while placing lower-risk, non-mandatory individuals in lower cost alternatives to detention programs.

Despite the increasing cost of detention, ICE is diligently controlling its costs and being as effective as possible with appropriated resources. For instance, ERO initiated a comprehensive review of its Service Processing Center (SPC) contracting approach to pursue cost savings. Our review enabled us to restructure the detention services contract at the Krome

SPC in Miami, which is saving ICE \$20 million annually. ERO is now in the process of repeating this same approach at each of its SPC facilities. While these efforts do not eliminate cost increases, such innovative approaches will help minimize the inflation of daily bed rate.

*2) Changing Migrant Demographics, including Unaccompanied Children*

Changing migrant demographics has had a significant impact on our operations. Most notably, removals to Central America have steadily increased while removals to Mexico have declined. This is consistent with changes to the U.S Customs and Border Protection (CBP) apprehension demographic. To address this surge, ERO entered into agreements with the governments of Guatemala and Honduras to expedite removal of certain aliens to these countries. These agreements have significantly reduced the amount of time that these aliens spend in DHS custody.

In addition, FY 2014 saw an unprecedented surge of unaccompanied children and family units, primarily from Guatemala, El Salvador, and Honduras. In response, ERO initiated and managed the conversion of the Karnes Civil Detention Facility into a Family Residential Center, and oversaw the construction of the South Texas Family Residential Center in Dilley, Texas which will be fully operational this fiscal year. In total, ERO will grow its capacity to detain family units from approximately 96 in the beginning of FY 2014 to an average of 2,760 in FY 2016.

As was mentioned previously, apprehensions of unaccompanied children illegally crossing into the United States in the Rio Grande Valley area in South Texas have grown exponentially in the past several years, ultimately requiring ICE to shift resources. This budget requests up to \$27.6 million in contingency funding to be made available in increments of \$6.9 million for costs associated with the transportation of unaccompanied children should it become necessary.

### 3) *Alternatives to Detention*

The President's budget request supports the expanded use of the Alternatives to Detention (ATD) program. A cost-effective alternative to traditional detention, ATD makes detention bed space available for those aliens posing the greatest risk to public safety or national security. The proposed funding increase will provide for additional ATD full-service capacity to accommodate, as appropriate, eligible individuals in family units who are released from custody pursuant to ICE policy or by an immigration judge, and placed on the non-detained court docket. It is estimated that the request level will fund up to a total of 53,000 average daily participants at full operating capacity in FY 2016.

### 4) *Increase in New Attorney Positions*

ICE's Office of the Principal Legal Advisor (OPLA), the largest legal program in DHS, is the exclusive legal representative for the U.S. government in proceedings before the nation's immigration courts. OPLA attorneys litigate immigration-related hearings on behalf of the United States involving criminal aliens, terrorists and human rights abusers, and also provide legal support to ICE headquarters components focusing on immigration, customs, trade enforcement, national security, worksite enforcement, ethics, privacy and employment law, tort claims and administrative law issues.

In FY 2014, OPLA litigated over 300,000 immigration-related cases. Ongoing Southwest Border surge operations, recent increases in the number of DOJ immigration judges, and additional requirements anticipated as a result of an increase in FOIA requests and appeals continue to increase the litigation workload. The FY 2016 budget requests funding for 311 new attorney positions to effectively cover the expected increase in immigration judges. With the additional attorneys to support the expected increase in immigration judges, ICE anticipates to

decrease the average length of stay for detainees by up to 14 percent, with an aim toward freeing up resources that otherwise will have to be spent on detention.

### **CRIMINAL INVESTIGATIONS**

HSI is the investigative arm of ICE and conducts criminal investigations to protect the United States against terrorism and other criminal activity that threaten public safety and national security, and to bring to justice those seeking to exploit our customs and immigration laws worldwide. Notably, in FY 2014, HSI investigations led to the disruption or dismantlement of 520 transnational criminal organizations (TCOs). HSI made more than 32,000 criminal arrests and seized more than 2.3 million pounds of narcotics, 20,000 weapons, and \$720 million in currency and monetary instruments.

In its investigative capacity, HSI enforces more than 400 federal laws and regulations, with jurisdiction over the investigation of crimes with a nexus to the U.S. border or functional border. To accomplish its mission, HSI focuses its broad investigative authority on three operational priorities – border security, public safety and counterterrorism/national security. HSI investigates customs and immigration crimes, including TCOs engaged in illicit activity related to export enforcement, human rights violations, narcotics, weapons and contraband smuggling, financial crimes, cybercrimes and child exploitation, human smuggling and trafficking, intellectual property theft and trade fraud, transnational gangs, and immigration document and benefit fraud.

The President's FY 2016 budget request therefore seeks \$1.99 billion for HSI to continue its investigative efforts in the upcoming fiscal year. Specifically, the budget increases domestic investigative capacity to hire special agents and investigative support staff, as well as to support

current operational efforts. The budget request also includes \$26 million to increase human smuggling and trafficking investigations.

*1) Border Security*

ICE continues to be an active participant in DHS's efforts to implement a Southern Border and Approaches Campaign Strategy to fundamentally alter the way in which we marshal resources to the border. This pilot plan engages DHS assets strategically in a coordinated approach to provide effective enforcement of our laws and apprehend individuals seeking to illegally enter the United States across land, sea, and air. To accomplish this, DHS commissioned three temporary task forces of various law enforcement agencies.

ICE will serve as the Administrative Director of the Joint Task Force Investigations, which is engaged to support the entire Southern Border and Approaches Area of Responsibility. This will include responsibility for staffing and equipping the Task Force as well as coordinating investigative priorities, roles and responsibilities of members from other components detailed to the Task Force, and operational protocols. ICE will provide further support through efforts to enhance identification and targeting of major human smuggling and trafficking networks; export control initiatives including those targeting weapons flow to the south; general contraband smuggling investigations; fugitive operations; and criminal alien removal programs.

*2) Public Safety*

One of the top investigative priorities for ICE is human smuggling and trafficking, for which ICE possesses a full range of investigative and border-related authorities. ICE is one of the principal federal agencies charged with enforcing U.S. laws related to human trafficking and has developed a comprehensive, victim-centered approach to aggressively target human traffickers by using information and intelligence from sources across the government and

internationally. Momentum in this area continues to build, particularly with the increased emphasis on activities along our border with Mexico.

In response to the sudden influx of unaccompanied children last summer, ICE initiated Operation Coyote, which was designed specifically to stem the flow of illegal Central American immigration, including that of unaccompanied minors, by targeting the human smuggling organizations that facilitate these illegal activities. HSI deployed personnel to strengthen capacity for conducting human smuggling investigations and enforcement actions, and for monitoring international conditions to enable targeted responses to the influx during the sustained operational period. To build upon its early investigative accomplishments, HSI expanded the initiative not only across the country, but worldwide, to harness all HSI activity related to the smuggling of Central Americans into the United States. On March 23, 2015, HSI commenced Operation Coyote 2.0, which will build upon the foundation set by the preceding operational activities to further evolve and enhance HSI's overall human smuggling strategy.

As of April 9, 2015, Operation Coyote, together with Operation Coyote 2.0, has resulted in 1,356 criminal arrests, 870 indictments, and 643 criminal convictions of human smugglers and their associates. The operation has also resulted in the seizure of over \$1.2 million in currency from over 666 interstate funnel accounts utilized to move illicit proceeds. Efforts internationally (Operation Coyote International) have resulted in the identification of numerous human smuggling organizations operating in Central America and Mexico. Six organizations have been prosecuted and dismantled, while several other human smuggling organizations have been disrupted as the investigative and prosecutorial efforts against them continue. The FY 2015 enacted budget appropriated \$3.4 million to expand human smuggling investigations, and the FY 2016 budget request would allow ICE to further expand our current efforts to curb the high levels

of human smuggling along the Southwest Border. Specifically, it requests \$26 million to hire additional special agents to focus on these particular investigations, as well as expand the Transnational Criminal Investigative Units in the Central America.

HSI is also a leader in investigations involving the sexual exploitation of children and child sex tourism, as we have developed new investigative methods and tools to combat these crimes. For instance, ICE launched the “Operation Predator” App, which makes it easier to report and identify suspected child exploitation. This is the first time a smartphone app has been used by federal law enforcement to seek the public’s help with fugitive and unknown suspect child predators, and it has been increasingly helpful in solving cases. Additionally, the Human Exploitation Rescue Operation Rescue Corps (HERO Corps) program trains wounded warriors from the U.S. Armed Forces in computer forensics and in identifying and combatting child sexual exploitation, thereby arming them with the necessary skills to assist HSI in the fight to protect our nation’s most valuable assets, our children. ICE has trained two classes of HEROs and hired a number of the graduates to work as HSI computer forensic analysts. Our third class of 24 students begins this month, and we anticipate another class beginning in August 2015.

### *3) Counterterrorism/National Security*

Terrorism remains one of the most significant threats U.S. law enforcement faces in protecting the homeland. Counterterrorism and criminal exploitation efforts seek to prevent terrorists and other criminals, such as human rights violators, from exploiting the nation’s immigration system. HSI’s overstay analysis efforts provide timely, relevant, and credible information on entry, exit, and immigration overstay status of visitors to the United States in order to enhance security, facilitate legitimate trade and travel, and ensure the integrity of the immigration system, as well as to protect the privacy of visitors.

HSI is the second largest contributor of federal agents to the FBI-led Joint Terrorism Task Forces (JTTFs), which benefit from HSI agents' investigative expertise and broad enforcement authorities. ICE will continue its participation in more than 100 JTTFs supporting and complementing counterterrorism investigations with ICE's unique immigration and trade-based authorities. In addition, HSI oversees the Human Rights Violators and War Crimes Center, which fosters an agency-wide approach to pursue human rights and war crimes violators by bringing together the resources of the various U.S. Government agencies that have a role in dealing with these offenders.

HSI is also the primary export enforcement agency for the federal 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. HSI's Counter-Proliferation Investigations program targets the trafficking and illegal export of conventional military equipment, firearms, and controlled dual use commodities. It also enforces U.S. export laws involving goods going to sanctioned or embargoed countries. In pursuit of this mission, HSI has developed and is currently implementing the Border Enforcement Analytics Program, a big data tool created to enhance lead development and targeting through the analysis and exploitation of commercial trade data and other indices.

In addition, HSI's Visa Security Program (VSP) maximizes the visa process as a counterterrorism tool to identify terrorists, criminals and other aliens ineligible for a visa prior to their travel or application for admission to the United States. In FY 2014, the HSI VSP reviewed over 2 million visa applications at 20 high-threat posts, which resulted in over 8,600 recommendations to refuse the issuance of a visa.

### **ENSURING FISCAL AND MANAGEMENT EFFICIENCY**

Underpinning all of the priorities of our agency is the M&A directorate, which provides a full-range of mission and operational support to ICE, including information technology, financial management, human resources, law enforcement training, and policy management.

#### *1) Information Technology*

Fulfilling ICE's enforcement and investigative missions are critical to our nation's security. ICE agents and officers must be able to rely on modern and effective tools, equipment and systems. ICE's efforts are focused on providing the critical tools necessary to meet the technological demands and cyber challenges of the 21<sup>st</sup> Century including: improving interoperability with DHS and other federal law enforcement partners, modernizing ICE's tactical communications equipment, replacing critical infrastructure, creating a centralized data environment to improve data sharing, and modernizing the financial management system that supports ICE and other DHS components. The President's request includes \$73.5 million for the modernization of ICE's information technology and systems infrastructure.

#### *2) Office of Professional Responsibility*

The Office of Professional Responsibility (OPR) upholds the agency's standards for integrity and professionalism. As a key part of that responsibility, OPR investigates allegations of misconduct involving employees of ICE and CBP. OPR also conducts inspections of detention facilities and adjudicates ICE background investigations and issues security clearances for all prospective and current ICE employees and contract staff. In addition, OPR inspects and reviews ICE offices, operations and processes in an effort to provide executive management with an

independent review of the agency's organizational health. In FY 2014, OPR completed 32 detention facility inspections, 18 reviews of 287(g) programs, 17 management inspections, and 25 audits of certified undercover operations.

### 3) *Management*

ICE continues to face the challenge of meeting efficiency goals, while also maximizing the reach and impact of the agency in achieving its enforcement, investigative and public safety mission. In FY 2014, ICE became the first federal law enforcement agency to receive Federal Law Enforcement Training accreditation for Supervisory Leadership Training. This accreditation demonstrates ICE's commitment to quality employee training programs while minimizing training costs and liabilities.

Additionally, ICE began developing a new repeatable, evidence-based resource management approach to tie workload to resource requirements and resource distribution across programs. The Workload Staffing Model (WSM) uses workload capacity to validate its staffing requirements and models the impact those resources have on public safety, national security, and the U.S. economy.

In FY 2014, ICE continued to find efficiencies and cost-savings measures including conducting an Electronic Vehicle Allocation Methodology study that identified 478 vehicles that could be removed from the ICE fleet for a potential savings of nearly \$2 million and over one third of the ICE fleet that could be replaced for a potential savings of nearly \$4.9 million. ICE also reduced its footprint by applying new space standards, and continued to reduce conference spending by using free government space and utilizing video teleconferencing.

**CONCLUSION**

ICE will continue to play a critical role in fulfilling DHS's counterterrorism, border security, and public safety mission. With that in mind, the FY 2016 request will ensure ICE has the resources to support DHS-wide efforts.

Thank you again for the opportunity to testify today and for your continued support of ICE and its critical national security and public safety mission. I would be pleased to answer any questions at this time.



## U.S. Immigration and Customs Enforcement

# BIOGRAPHY

### **Sarah R. Saldaña**

Director, U.S. Immigration and Customs Enforcement

As ICE's Director, Sarah R. Saldaña leads the largest investigative agency within the U.S. Department of Homeland Security. Created in 2003, ICE has a budget of approximately \$6 billion and has nearly 20,000 employees in 400 offices in all 50 states and 48 countries.

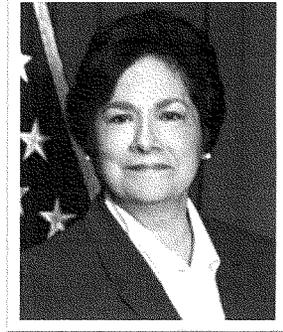
In this role, Director Saldaña advances ICE's mission to promote homeland security and public safety through the criminal and civil enforcement of approximately 400 federal laws governing border control, customs, trade and immigration.

Previously, Director Saldaña served as the United States Attorney for the Northern District of Texas. In that position, she led a staff of more than 200 employees, including approximately 100 attorneys.

Prior to that, she served as an Assistant U.S. Attorney for the Northern District of Texas, where she prosecuted a variety of criminal cases, including bank and mortgage fraud, civil rights, human trafficking and public corruption. She also served as the Deputy Criminal Chief in charge of the District's Major Fraud and Public Corruption section. Before joining the Department of Justice, she worked in private practice and at the Equal Employment Opportunity Commission, Housing and Urban Development, the Department of Labor.

Director Saldaña graduated Summa Cum Laude from Texas A&I University and earned her J.D. degree from Southern Methodist University.

Director Saldaña is the recipient of several meritorious awards and was most recently named Latina Attorney of the Year at the Hispanic National Bar Association's 38th Annual Convention. In September 2011, Director Saldaña became Texas's first Latina chief prosecutor.



*U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security. ICE is comprised of three integrated divisions that form a 21<sup>st</sup> century law enforcement agency with broad responsibilities for a number of key homeland security priorities. For more information, visit: [www.ICE.gov](http://www.ICE.gov).*

Current as of 12/23/2014

Mr. CARTER. Well, thank you, Ms. Saldana, for that summation. We appreciate it very much.

And I am going to start out by jumping off into a subject that is weighing upon my heart pretty heavily and I would hope most of the members, if not all the members of this subcommittee.

It has been reported in the press to this committee that 30,558 individuals with criminal convictions were released into the public arena in the United States of America. This is a 2014 release which follows a 2013 release which was a discussion of this subcommittee last year of 36,000 criminal aliens released, at which time we asked why did you not tell us about this and why do you not tell us now about the nature of these people.

We got that some months later after we requested it. We wrote into our bill report language requiring the ICE to give us that information prior to release. And, by the way, this has been a policy, it is my understanding talking to prior staff people, that has been around and we have asked for for a long time.

If you are going to release known criminal offenders into the public arena and into the neighborhoods of American citizens, we think that this committee, who pays the bills, should get that information prior to release. And we treat report language as a direction from this committee for the performance of the agency we direct.

This is not hard stuff. You read law books. If it is there in print, you know what it says. I know you are new to the game, but let me just tell you a pet peeve I have about the entire Homeland Security Department.

I no longer have any sympathy for the excuse that, the acting director was taking care of that before I got here. Half the people in DHS are acting. It is a fatal flaw of this department.

I have addressed this with Jeh Johnson and he agrees it is fatal flaw. And I will have to give him some credit about putting it in the fast track to get people to be the actual people responsible for these agencies in place.

I am no longer going to accept the excuse that the acting director should have taken care of this. No. You take all the faults of the guy that was running ICE before you got there. We expect to know this information.

Now, you are a Texan. You know that the NAFTA corridor is the outlet for the entire eastern part of the United States, and it runs right through our back yard. You went to school in Kingsville. It runs right through your back yard.

The Texas people can see that we just put 30,000 criminals that they know nothing about on that highway headed north. Now, in reality, they are not all on that highway, but there is a good number of them that are. They run right through my hometown of Round Rock. And that corridor affects every Texan in the whole State.

When people hear criminals are released, they get fearful and they ask us to answer for that because we are their representatives. And if the subcommittee that provides the funding does not have the information, then none of the rest of the Members of Congress have any source to go to to get the information.

This is a critical error and I have a whole series of questions I want to discuss with you about that. Let me start here. You just kind of make a little note of this and I will go by sections.

Are there national security concerns or law enforcement sensitivities that prevent you or the department from giving us this information? Why does the press get it before Congress gets it?

As directed in the fiscal year 2015 House report, do you intend to publish the information on your website as directed by Congress and when? Let's start with those three questions.

Ms. SALDANA. Okay. And, sir, when I took the oath for this office, it was never my intention and it will not be my pattern to blame others for the situation at ICE. I am here voluntarily of my own free will and I intend to answer for the agency.

With respect to the information and the reporting, my boss, Jeh Johnson, as you well know, is very demanding with respect to our cooperation and providing of information to our committees and Members of Congress. He has a very clear directive to all of us that we should do that.

I will tell you that right now we are working on the very report. I think maybe late last month, I issued a memorandum and directive that would give me greater comfort because I have the same concern. I do not want criminals who are threats to our communities out there either.

But what I have asked for is I want more supervision of the decisions that are made with respect to criminal releases just so that we can rest assured that we are going about our process and following it faithfully and consistently across the country.

And one of the things that I addressed in there was the communication with state and local government, obviously with the Congress, but with state and local governments in particular before we release a person with a serious criminal history into the community. We are working on that.

I mentioned the technology money. So I know little about IT. I just do not have that kind of brain. I am a lawyer after all. But I do understand old and outdated information systems. And as you can well imagine, we are getting lots and lots of inquiries from, I do not know, the 92 or so committees that oversee our operations and many of them have different aspects.

What we are trying to do is to create a system that can be more responsive and we are on the task of the local and state communications of releases. We are already in the test pilot stage trying to make sure that we can communicate with the state systems which in turn will provide information to the local jurisdictions. And I believe those early tests are coming back very successful.

In terms of expanding it nationally, it is going to take a few more months in order for us to get that in a way that we can push a button, provide that information to the state, and bring it back so that people have an idea of who is going into their communities that have a record of criminal history.

The estimate I have seen is at least through probably the end of this calendar year before we can get that up and going, but I know we are talking to particularly state information system which we have in Texas and obviously the other states have so that we can make our systems compatible so they can speak to each other.

I am sorry. I do not know the technical jargon, but I do understand systems speaking to each other and that is what we are trying to accomplish. That is a big deal to me. That is a big deal to me. I know it is a big deal to you, sir, and to the other members of this committee. And I am going to be on it. I am going to be on it from here until we get to the end of actually making this a working system.

With respect to reporting to this committee, the people behind me have very clear direction that this is a top priority is communicating with congressional staff and with Members of Congress and we have pedaled as fast as we can. I have seen it when there is a response and a request and I think we have made very good progress.

I think we have cut down the numbers, the turnaround time on inquiries. And that is another thing I have my finger on the pulse of. So that is where we are and I commit to you that we will continue to do that. And I will stay on it until we get good—

Mr. CARTER. Well, Ms. Saldana, when I heard what you were asked when you commented about—in fact, I made a little note at the top of my page that I expected to hear, and I did, about data. It is wonderful the new tools we have, but as far as we are concerned, you can sit down with a pencil and a big chief tablet and write us out a list of the people that are being released from prison, because you cannot release them without being able to inform somebody to turn them loose.

Somebody knows this information that works for ICE and they have been directed by us, prior to the release and prior to anything going to the press, that we get that information. I do not care whether this comes on a computer. You can write it on a big chief tablet and send it over here, but I expect it to be here.

I think it is only fair that those of us who have to take the major amount of heat that will come down, and it is coming down right now in our communities across the United States. I was a judge for 20 years. We did not have all these fancy things. We used IBM Selectric typewriters and carbon paper at one time in the courthouse. It is still available.

There is no excuse to just ignore this because our computer does not work as fast as it needs to or does not accumulate the information. You have human beings that are accumulating that information, and they can send it to us.

Ms. SALDANA. Let me be clear, Chairman. We are not ignoring it. We are on this.

Mr. CARTER. We do not have it.

Ms. SALDANA. These are files. These are files with a bunch of paper in them. They are stored centrally in archives in a central location. We have to get them. Somebody, as you said, has to get with a pencil and a tablet and go through and respond to the different facts that you are asking for. So we are on that.

Mr. CARTER. Are you telling me that these people are released without them informing you or the top echelon? Is this field work that is done by individuals and they are just making these releases without any central authority at all?

Ms. SALDANA. That is part of that same directive I told you about earlier. They are making decisions locally, but I have asked for ad-

ditional levels of review and that is the field office director. The person who runs the enforcement and removal operation locally has been told you need to sign off, you or an assistant needs to sign off on this, that extra level of supervision.

I have created a five or six-person panel of senior managers who will look at the release and make sure we are exercising to the extent we are exercising our discretion, and this is not a court ordered release, that they review it as well.

So, no, it is not happening in a vacuum, but we will get that information to you.

Mr. CARTER. Any people in that chain of command you just mentioned should be able to give us the information. If it comes in piecemeal that in the Rio Grande Valley we are turning loose 10,000 and in Laredo we are turning loose 20,000. I do not care how it comes down.

Ms. SALDANA. Okay.

Mr. CARTER. But we need to know it and know what the criminal activity they were convicted of. You know, I was a district judge. We tried felony DWIs and, one of the things that kept you up at night is that drunks kill people in cars.

And you get a guy that has a felony DWI in Texas, he has had probably five misdemeanors before he ever gets to see you, even though he could have less to get there, but most of them have about five or more. When you put them out on some kind of release, you think you know who is going to get blamed when a little kid gets run over by this drunk? It is going to be the judge that turned him loose.

Well, we get blamed on this situation because we are the guys that pay the bills. I just cannot impress upon you that I am furious about the fact that we ask politely, then we put it in writing and say you will do this, and it is not being done. That encourages us to not be very kind to the agency.

I told Jeh Johnson and the former director that I think ICE is one of the best law enforcement agencies in the country, and they do not get any credit for it. But you are not going to get credit if this committee gets down on you, I can promise you. This subcommittee pays the bills, and we are responsible for it.

What mechanisms does ICE use to ensure sexual predators released from ICE custody meet the legal requirements to register with local officials? If these releases are being made like you described, really my concern doubles.

Has ICE determined whether sexual predators in ICE custody are properly registered before releasing them to the public? It is a requirement of the law of every State in the country, and there is a federal register for sexual predators that I happen to have written the legislation to put that in place. All that is required because it is the way we keep track of a lot of people who do a lot of harm to a lot of little kids.

Does ICE have an official process to inform local officials that sexual predators are being released? If not, should a formal process be instituted immediately? Should the law be amended to require this formal process? If you will not do it with any other, we will do that.

Ms. SALDANA. That is the system I mentioned earlier that I believe we can get off and running with the state databases before the end of the year. I am very hopeful for that. Again, this takes tuning up not only our machines but having them link and work with the state machines as well. We are very much on that and that includes all these criminals that are released, not just the sexual predators.

Mr. CARTER. But the sexual predators, in all 50 states, we have specific requirements for registration of sexual predators. And we have a national register.

Ms. SALDANA. Right.

Mr. CARTER. And if we are releasing people that should be on those registers, then do not. You know, a lot of people in this modern day and age, when they get ready to buy a house, they check that list to see who their neighbors are. This is important.

You have stated that you are concerned that releasing criminal aliens could cause public safety concerns. I believe the law enforcement officials should be notified when criminal aliens convicted of violent offenses are released in local communities.

Does ICE inform local law enforcement about violent criminal aliens released in their communities? Are there effective methods for getting this information to local law enforcement? And you are telling me there are none? Is what you are saying?

Ms. SALDANA. No. Well, there is not a system—

Mr. CARTER. You are trying to put it in place?

Ms. SALDANA. We are trying to institutionalize it, but let me not fail to mention that obviously we are in the field. Our people are talking to state and locals all the time, sheriffs to local officials. There is an informal communication with respect to that. I want to see it institutionalized and that is what we are trying to do is actually set up a system where it happens every time we release somebody.

Mr. CARTER. Well, you are a lawyer. There should at least be something in writing to notify local law enforcement. If the informal is running into a sheriff's deputy at the café and say, oh, by the way, we turned loose a violent criminal, a sexual predator over in your neighborhood, that is not the kind of notice that should be available. You should be at least giving them something in writing informing them, as we do between counties and states these days, every day.

Finally, one of the reasons for the release we hear is the Zadvydas Davis decision. How many serious criminal offenders were released under a ruling of *Zadvydas v. Davis* decision which prohibits ICE from detaining criminal aliens longer than six months unless there is a reasonable assurance the individuals will be expatriated to his or her country of origin in the foreseeable future? How many of the criminal aliens released in 2013 to 2014 were released under *Zadvydas*? What countries are they from and why would the countries not take them back?

That is very important, because if we have countries that are not honoring bringing their people back, then as we deal with the State Department budget and we deal with Foreign Affairs' budgets, we have methods whereby we can get their attention that, you know, if you think that we are going to continue to provide foreign aid

to your country when you will not take back these people that are a burden upon our society and they are and have been. By being incarcerated, they are a burden on our society.

Ms. SALDANA. And we provided that information for 2013. We are in the process of gathering that for 2014, the breakdown by countries. I can tell you that China is pretty much at the top of the list.

Mr. CARTER. We know China is at the top of the list, but we have other questions. You know, Honduras and Guatemala and San Salvador, that has been a big issue. We do not know whether they are taking them back or not.

Ms. SALDANA. They are, sir.

Mr. CARTER. Well, that is good. But that is exactly the kind of information that should be a current event for this committee, not a after-the-fact report. The current event is important to the communities that we represent.

Are there steps DHS and the State Department can take with any of the nations to get them to encourage repatriation? You got ideas, we are willing to do them. We are in this together, but you have to share information with us.

Ms. SALDANA. It is gratifying to hear that. I mean, that is what I want.

Mr. CARTER. Jeh Johnson knows that and I want you to know it. But you have no idea how mad people get when they hear about these releases. The reality is most of these releases are totally appropriate. They would fit into any criminal justice system that we operate under in the country, but that is not what it sounds like. It sounds like ICE turned them loose. That is what it sounds like.

Ms. SALDANA. And I appreciate the fact that you are, I presume, out there telling them that information and that is why this information obviously is important.

Mr. CARTER. You have dealt with locals. The local chief of police gets a call. Hey, ICE turned people loose. How many of them are coming our way? How many are coming to our town? The sheriff gets that call. Local law enforcement, immediately as it hits the paper, they want to know where these people are.

I will tell you, Texans think 95 percent of them are in our State, and it could be that a lot of them are.

Ms. SALDANA. It will be a good number. I do not know about 95 percent.

Mr. CARTER. Yeah.

Ms. SALDANA. Between California and Texas.

Mr. CARTER. This is a crisis as far as this committee is concerned in my opinion.

I will recognize Ms. Roybal-Allard.

Ms. ROYBAL-ALLARD. Thank you, Mr. Chairman.

Director Saldana, in addition to last year's influx of unaccompanied children, there was a rapid growth in the number of families crossing the border, usually mothers with one or more children. And ICE responded by establishing a significant number of new family detention beds.

In fact, the number of family beds will have gone from around 85 at this time last year to what is expected to be more than 3,100 by June. For fiscal year 2016, the budget proposes \$345 million for

2,760 family detention beds and that is \$125,000 per bed including care.

In addition to the high cost, many of us are concerned about the prospect of so many families, especially children, living in detention settings. Since there are less expensive and more humane options such as alternatives to detention which have proven to be successful in having people show up for their court hearings, it seems that the real issue to be addressed is the speed at which someone is able to have their case adjudicated before an immigration judge.

So given that the \$345 million proposed for family detention next year is almost three-fourths of the entire budget proposed for the immigration courts at DOJ, would it not make more sense to use that money to address the immigration backlog at DOJ?

Ms. SALDANA. Well, you noticed, I am sure, Representative, that we also asked for an increase in alternative detention programming because we have found some success in that. I think we have had a request before, but this is about the highest we have asked for. So we are definitely looking at that and think that is particularly appropriate for families.

As you know, there is a District Court decision that talks about the fact that we should not use deterrents as a factor in making decisions with respect to the families. And so we have gone back and scrubbed prior cases and every person, adult or family member, the decisions are being made on the basis of the due process you talked about earlier.

Is a bond more appropriate for this individual? Do we need to detain them? If there is a bond that is appropriate, what is the appropriate amount to make sure that they appear in future court proceedings?

So we are very sensitive to that. I agree with you. I made it a point in month two to go to the Dilly family facility and see for myself, because I am one of these trust but verify people, that that facility—I do not know if you have had an opportunity to visit it, but that is one of the three and the largest of the three family facilities—is in my opinion top notch.

It provides child care, infant care, child care, education, medical facilities. I think the response time is within 12 hours someone has had a medical examination to see what their needs are and the like. And I am very much satisfied that that is appropriate.

I plan to go to Karnes because I have heard a lot about Karnes. And I want again to see for myself. I think I have planned a trip for that actually tomorrow or the day after. I am going somewhere.

Ms. ROYBAL-ALLARD. Okay. Director Saldana, I think that my question has to do more with the issue of if we need these family detention beds and one of the primary reasons is that the length of time it takes for a case to be adjudicated and we are spending \$125,000 per bed, you know, plus care, if it would make more sense then given that the cost of the detention is three-fourths that of the entire budget proposed for DOJ, would it not make more sense then to use that money to help expedite the adjudication of these cases? That is my—

Ms. SALDANA. I cannot urge you more that we need both in my view. We need more judges because that is actually the underlying problem. I think the chairman mentioned that earlier. We have got

to move the process faster. We do not detain because we get a kick out of it or it is something that is good to do. We detain based on any decision that a federal judge makes, for example, with respect to releasing someone pending proceedings. And that is flight risk and safety issues.

So, yes, it could be a simplistic answer, but my view is that we need those additional attorneys that I talked about. DOJ, I do not know why I am speaking for DOJ other than it was my prior department. DOJ needs those additional judges that they are going to be requesting, I am sure, for 2016 so that we can get those decisions that the families are asserting, their request for relief made sooner rather than later. That will save us on costs.

Right now we do not know how many families are going to be coming or whether we will have anything close to what happened last time. We have got the beds ready. That was our promise is to have those beds ready if that happens again this year. We will see.

I think we are just coming upon that part of the season that there tends to be more migration towards this area. So I would strongly suggest that both things need to be done.

Ms. ROYBAL-ALLARD. Okay. Let me go back. You mentioned the bonds and I understand that the District Court has imposed a preliminary injunction on the ICE policy of detaining families seeking asylum without consideration of releasing them on bond.

Can you explain what the rationale was behind this policy given that the bond is an incentive for ensuring that families appear at immigration hearings?

Ms. SALDANA. If we are talking about the District Court, Washington, D.C. Court, that is not the ruling of the court. The ruling of the court, as I understand it, it has been a little while since I have looked at it, is that we cannot take deterrents which is the reason we specified for detaining families as one of the factors we were looking at is deterring other families from coming through was not appropriate and we are prohibited from doing that.

Ms. ROYBAL-ALLARD. This was the U.S. District Court?

Ms. SALDANA. Right, in D.C.

Ms. ROYBAL-ALLARD. Right.

Ms. SALDANA. And so, no. Bonds are afforded to families just like any other adult that we look at. If we make the decision that we do not need to detain them, we give them that opportunity for a bond, again, to ensure their presence in the future.

Ms. ROYBAL-ALLARD. Currently that is true based on the decision. But prior to that, it is my understanding that families that were seeking asylum were not given the consideration of bond. And that leads me to the next part of my question that there has been some complaints that, well, ICE has begun to offer bond to some families, that the amount is often set too high for families to afford.

So what is ICE's process in setting bond amounts and is the affordability of the bond taken into account on a case-by-case basis?

Ms. SALDANA. It is definitely a case-by-case analysis of the factors. The minimum bond that can be set is \$1,500. I would think even \$1,500 for some families would be impossible to meet, but that is a bottom-line figure. My understanding is that we look at, again, it is a decision that is made on a case-by-case basis, what bond amount will ensure this person actually shows up.

You know, I do not have an example right now I can give you and I would not talk about individual cases anyway, but generally that is the approach. It is not let's set the bond so they cannot make bond. It is let's set the bond based on a number that will ensure they will appear in the future.

Ms. ROYBAL-ALLARD. Is there an appeal process?

Ms. SALDANA. Absolutely.

Ms. ROYBAL-ALLARD. There is.

Ms. SALDANA. It is on our Web site lower right-hand corner. And also everybody has the right to appeal to an immigration judge on the amount of bond that is imposed on an individual. And many, many do, one of the reasons we have a half a million person backlog in the immigration courts.

Ms. ROYBAL-ALLARD. You mentioned Karnes and some detainees at the Karnes family residential center engaged in a hunger strike to protest their detention while seeking asylum.

Do you know if the participants have been offered release on bond and, if so, has the bond amount been set at a level that they could afford and they are using it?

Ms. SALDANA. All of the persons who come into our custody are given a bond determination very quickly. And, yes, all of them are.

One thing I strongly suggest, Congresswoman, is if you are relying on the New York Times story that came out this weekend, it is chock full of errors, not the least of which is that we have barbed wires in our family detention center. And there are about 16 or 18 other facts that are wrong there.

I have asked when I meet with nongovernmental organizations, I have asked if you have a complaint, there is a process on our Web site, but more importantly please get the facts, information that we can look at, the names of people, the dates events apparently occurred or are alleged to occur, because facts are more important to me than assertions that are just thrown out there willy-nilly.

We will look at anything that looks wrong and, as I say, I personally am going to Karnes tomorrow apparently or the next day and we will look into that. But, no, every person has an opportunity for a bond determination if we believe there is not obviously a recommendation of detention. Even our detention decisions are often taken on a look by the immigration courts are overturned.

Ms. ROYBAL-ALLARD. Okay. Just one final thing. It is my understanding that there have been allegations of mistreatment of hunger strikers at Karnes in retaliation for their protest and the Office of Civil Rights and Civil Liberties has begun an investigation.

Is that correct and can you provide any information on the status of that investigation?

Ms. SALDANA. I can do that in another setting for you.

Ms. ROYBAL-ALLARD. Okay.

Ms. SALDANA. And we can talk about that.

Ms. ROYBAL-ALLARD. Okay. Thank you, Mr. Chairman. You have been very generous with the time.

Mr. CARTER. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Madam Secretary, good morning. I have read that tens of thousands of people have been killed in Mexico which borders Texas. And some of those people who have been killed are U.S. law enforcement and other citizens.

You have been a prosecutor, so you have worked for the Department of Justice. You have this new role which we congratulate you on.

I am told, and tell me if I am wrong, that some of those who perpetuated these crimes, heads of cartels actually have domiciles in the United States, property in the United States. As a resident of Texas, I would assume you would know that. And what are we doing about it if that is the case?

Ms. SALDANA. Well, I do not know when you refer to these crimes and tens of thousands of law enforcement—

Mr. FRELINGHUYSEN. Crimes involving the killing of tens of thousands of people in Mexico to include some Americans.

Ms. SALDANA. There are awful and large and well-established drug cartels who have connections not only with homes—

Mr. FRELINGHUYSEN. What I am asking is I understand that some of the people who are involved in leadership positions are domiciled in the United States. What are you doing in your agency to prosecute or bring some of these people's behaviors to public account?

Ms. SALDANA. That is a big part of what Homeland Security Investigations—

Mr. FRELINGHUYSEN. So what are you doing? What is the role of your agency relative to such people?

Ms. SALDANA. That is gather—

Mr. FRELINGHUYSEN. They come here, do they not, so they must pass through your portals; is that right?

Ms. SALDANA. Through our portals?

Mr. FRELINGHUYSEN. Yes, your agency.

Ms. SALDANA. Yes. Well, Customs and Border Protection. You know, we have two sister agencies—

Mr. FRELINGHUYSEN. Yeah. Okay.

Ms. SALDANA [continuing]. Who worries about the borders and is apprehending the people. In fact, the people they apprehend constitute about 60 percent of the people ICE deals with.

Mr. FRELINGHUYSEN. So what is your role relative to your agency relative to these people?

Ms. SALDANA. It is investigations and that is gathering intelligence, interviewing witnesses, finding evidence. In fact, that is the heart of what we do.

Mr. FRELINGHUYSEN. So could you assure the committee that you are actually doing it and what would be the likely consequence of some of the investigations that have already occurred?

Ms. SALDANA. Well, I think some statistics—

Mr. FRELINGHUYSEN. Where do we stand? Is it accurate that there are people here in our country that have perpetuated these crimes that are domiciled here that own great ranches and properties here and transit back and forth on a regular basis?

Ms. SALDANA. That is the case.

Mr. FRELINGHUYSEN. What are we doing about it?

Ms. SALDANA. Many of them are the subjects of investigations not only by HSI, Homeland Security Investigations, our folks because that is the heart of what we do is transnational criminal activity, but also by other agencies including the FBI and DEA. All of us are out there.

Mr. FRELINGHUYSEN. So what product has come from those investigations?

Ms. SALDANA. I think I mentioned some statistics earlier.

Mr. FRELINGHUYSEN. But have some of these people, and there are not that many of them who have cached their behavior in Mexico through, you know, their cartel activities making a lot of money which the—Chairman, thank you for yielding. What are you doing about it?

Ms. SALDANA. Well—

Mr. FRELINGHUYSEN. I know there are some shared responsibilities, but what specifically? Would you acknowledge that this exists—

Ms. SALDANA. Oh, yes. I know that—

Mr. FRELINGHUYSEN [continuing]. A situation, a domicile like this?

Ms. SALDANA. Not from my three months at ICE—

Mr. FRELINGHUYSEN. Yeah.

Ms. SALDANA [continuing]. But as a United States Attorney.

Mr. FRELINGHUYSEN. So what has been done? What has been done on it?

Ms. SALDANA. For those who we have not captured—and we have captured quite a few, and I am talking about the United States, HSI cannot take credit for all of them.

Mr. FRELINGHUYSEN. Yeah.

Ms. SALDANA. But we captured quite a few. They are way up there on the list of people to—

Mr. FRELINGHUYSEN. Yeah. But, I mean, they are right here. They transit back and forth.

Ms. SALDANA. They go back and forth, sir.

Mr. FRELINGHUYSEN. So we—

Ms. SALDANA. They go back and forth.

Mr. FRELINGHUYSEN [continuing]. We have captured, you know, a dozen or—

Ms. SALDANA. The United States, I cannot speak for the United States. I think I mentioned earlier that we have actually secured 2.3 million pounds of narcotics.

Mr. FRELINGHUYSEN. Which is like, you know, in the overall trade, you know, that is maybe a significant sum, but in reality, this trade involves a lot more than just that amount.

Ms. SALDANA. A lot.

Mr. FRELINGHUYSEN. And the dollars involved are huge.

Ms. SALDANA. A lot more. And as I said, that is part of our request for increasing our Homeland Security Investigations folks is because we want to be out there looking at these cases and finding these people and gathering the evidence.

Mr. FRELINGHUYSEN. Respectfully, these people and their domiciles and locations generally I am told by people I hang out with here, you know, people on the panel, sometimes these people are well-known and we do not do anything to prosecute them.

Ms. SALDANA. Well, we get one shot at the prosecution, sir, and we need to have the evidence in order to prosecute. We cannot just assume or come to a federal jury with information that they are suspicions, beliefs. We got to line up the evidence and those cases tend to take quite a bit of investigation.

Mr. FRELINGHUYSEN. Well, with the chairman's permission, I would like to see what your win-loss record is either through your operation or the Department of Justice as to whether we have actually been successful in apprehending any of these people who bought substantial land holdings here and who educate their children here and do all sorts of things that—

Ms. SALDANA. Right.

Mr. FRELINGHUYSEN [continuing]. They undeservedly get, you know.

Ms. SALDANA. I no longer have any control over the Department of Justice information, but I can certainly provide you the number of drug cartels. I think someone mentioned it earlier—

Mr. FRELINGHUYSEN. Yeah.

Ms. SALDANA [continuing]. That we have actually broken—

Mr. FRELINGHUYSEN. Yeah.

Ms. SALDANA. If your specific question is, how many of the drug cartel investigations we have had that we have found people who have domiciles in the United States, I think we can probably dig down and do some findings.

Mr. FRELINGHUYSEN. Yeah. Well, it is sort of disturbing, I think, considering the number of people that have been killed across the border.

Well, thank you, Mr. Chairman.

Thank you, Madam Secretary.

Mr. CARTER. Mr. Cuellar.

Mr. CUELLAR. Mr. Chairman, thank you so much.

First of all, I want to associate myself to the comments that the chairman made at the beginning about notice. I think we should not be working in silos. I think we ought to be working together and certainly that type of information to the local communities is going to be important. If somebody is going to be released in my neighborhood, I would like to know about it. So I do want to associate myself to the comments that the chairman made.

Also, I guess Rodney left already, but I think he has a point and we can talk about it at another setting. To the point that the chairman of Defense was talking about a few minutes ago, that is at another setting. I would like to follow up on those points about some of those folks living in the U.S. because they know that the violence is not in the U.S., but they do their work and they come over. And we can talk about that.

Ms. SALDANA. Okay. Thank you.

Mr. CUELLAR. I do want to also mention my brother who is a border sheriff, and I think John knows him very well, has done some work with your folks on those online predators.

Ms. SALDANA. Yes.

Mr. CUELLAR. And they have done a great job working together, so I just want to say Janet Ziella and the other folks here have just done a great job on the online predators. So I do want to say that to start off with.

I do want to point out something that I have been talking to Chairman John Culberson, in fact just yesterday, the numbers that we got at the end of 2014, the Executive Office of Immigration Review that overviews the Nation's immigration courts, they said they had about 429,520 cases pending.

I think a lot of the issues that we are talking about, I know it is not—usually we talk about adding more officers on the border, but if we add some of those judges, I think it can move the backlog and it would really save the taxpayers a lot of money.

And I have talked to the chairman there that has the power on the Commerce and Justice and hopefully he would look at this very carefully on that because we do need to have more judges. And hopefully they can be placed at the border also on that because I give you the numbers.

Ms. SALDANA. Strategically?

Mr. CUELLAR. Yes, strategically is the key, strategically.

I do want to say I am familiar with the Karnes facility, familiar with the Dilley. I have not gone to Dilley. All I ask you and I know my office has been working with you all about having some nuns that wanted to go. I know the bishops were there, Sister Mary Welch. I know there is some media from the Valley that deal with a lot of this issue last summer and were working with you that they want to go in and work with you. We would appreciate it so there can be some sort of transparency on it.

I know it is private contractors, but you all do the oversight.

Ms. SALDANA. Oh, yes. And I met with religious leaders and I believe she was there at the Executive Office Building last week. And they had already been there and their view is that we should not detain any families. That is what they would prefer to see and that is clear. They have made that clear to the secretary and to me and we will—

Mr. CUELLAR. And we—

Ms. SALDANA. We are aware of that.

Mr. CUELLAR [continuing]. Respectfully disagree. I think we need to have detentions. Otherwise, you have open borders and I think there has to be detention, but you need to have the judges also and other factors and make sure there is no abuse and, you know, the issues, you know, that people are treated with respect and you all need to look at.

But as you go and open up more of those, assume there is more of those detentions, the only thing I would ask you is to keep the taxpayers' dollars in mind. This happened before you came in. I think I called you before on this issue. And I think it is the inter-governmental service agreement. It went to one company.

The amount of dollars, I do not know if the committee is familiar with it, it was a lot of money. I will put it that way. And if you look at cost, it just went too much without some sort of competition. I talked to your folks beforehand. I respectfully disagree, but there has to be at least some sort of competition so the taxpayer gets the best dollars if you are going to build a huge facility like that. But now that it has been done, I just ask you to save the taxpayer some dollars as you are going through this process.

Finally, you know, the only thing I do want to mentioned, I guess it is more of a statement than a question, but the communication with people that provide you funding is important. And as the chairman, I do want to finish on this. If we ask you for something, I would ask you to respond to that as soon as you can. You are new and you got a wonderful background and very proud of you as one of the—

Ms. SALDANA. Javelinas.

Mr. CUELLAR [continuing]. Javelinas, yeah, from Texas A&I. But I just ask that you all just keep us informed because the worst thing that we want to see is we see this in newspaper and especially we do your budget, your appropriations, a little courtesy would go a long way for having a good working relationship.

So no questions, but any thoughts on what I have just—

Ms. SALDANA. Of course, no. As I mentioned earlier, that is very important to me and I have made very clear to all our staff here at headquarters that that is very much at the top of the list, if not—towards the top of the list, not at the very top of the list, is our communication and our responsiveness, get the information as quickly as possible, balanced, though, Congressman, against getting accurate information. We want to report accurately and that is why sometimes it takes a little time. We check and double check.

Mr. CUELLAR. I just want to say thank you. I think you are going to be a good director and we look forward to working with you.

Ms. SALDANA. Thank you, sir.

Mr. CUELLAR. Thank you.

Mr. CARTER. Thank you, Mr. Cuellar.

We are going in the order that people appeared here, so Mr. Harris?

Mr. HARRIS. Thank you very much, Mr. Chairman. And thank you, Madam Assistant Secretary for coming and appearing for us.

You know, ICE is kind of in the middle of a lot of the discussion about the President's new policies. And I had the opportunity to look over your biography and I take it you were the U.S. Attorney in Texas. And I guess your role at that time really was to help enforce law, is that right? Not policy? Is that—

Ms. SALDANA. To enforce the law.

Mr. HARRIS. Law, not policy, but law. And this, and you know there is a critical distinction that is playing out in, you know, Judge Hammond's opinion about what is going on because, you know, the distinction is whether or not the President's policy as implemented effectively has replaced the law, which the President cannot do. I mean, I hope we all should agree the President cannot replace the law. And you know, your testimony on page three says, and correctly, that ICE is charged with enforcing and/or administering the nation's immigration laws.

Now I am going to read you a very disturbing transcript of the President's immigration town hall meeting from February 25th, where he addresses the role of ICE. He says, "We are now implementing a new prioritization," and he is obviously referring to the prioritization that is actually laid out on the ICE website with regards to I guess Mr. Johnson's memoranda. He says there are going to be some jurisdictions and there may be individual ICE officials or border patrol who are not paying attention to our new directives. He does not say the law, he says the new directives. But they are going to be answerable to the head of the Department of Homeland Security because he has been very clear about what our priorities should be.

A few moments later, and I have been in the military so I understand what he is talking about, the President says, look, the bottom line is that if somebody is working for ICE and there is a pol-

icy and they do not follow the policy, there are going to consequences to it. He goes on to say in the U.S. military when you get an order you are expected to follow it. I understand. I was in the military, and I understand what getting an order is. It does not mean that everybody follows the order. If they do not, they have got a problem. And the same thing is going to be true with respect to the policies that we are putting forward.

Now I read this to be that the President has directed ICE to follow policy instead of law. Now I have got to ask you, is your interpretation different? I mean, the President, I understood, I was in the military. I knew what the consequence was if I did not follow an order. It was not pleasant. I cannot even imagine a person working for ICE reading this, thinking I have to follow the policy. I do not have discretion. There is no prioritization going to go on within these priorities. My discretion is removed. I have to follow that policy under the threat of the Commander in Chief in the case of the military, or the head of the executive branch in the case of DHS, of saying if they do not they have got a problem.

Now Madam Secretary, I have got to ask you, is this the way ICE runs? Is ICE's purpose is to enforce policy, not law?

Ms. SALDANA. It is to enforce the law. And I will tell you that in the Secretary's November 20th memo, he made it very clear that these are priorities. That these, but that every individual who comes before Immigration and Custom Enforcement officials for whom we are making a decision, whether to apprehend, arrest, set bonds, whatever, is to be determined on a case by case basis. And even, and there is a sentence here that I, you know, I, people miss this all the time and I am not exactly sure why. There is a sentence very clearly, these are the cards that our officers carry with them so they have a handy dandy little reference to keep in mind what the priorities are. Sir?

Mr. CULBERSON. They are carrying those today?

Ms. SALDANA. Yes. Yes. They have been since, you know, we started, completed the training in early January on these new priorities, which is when the executive actions went into effect. But it says here if you encounter a priority alien who you believe is not a threat to national security, or to security, or public safety, or believe that a non-priority alien's removal would serve as an important federal interest, you should discuss this matter with your supervisor.

I personally met with every chief, we call them our lawyers out there, chief counsels in all of the districts by video, along with the directors, the field office directors, and I said these are priorities. I made very clear, this exercise of judgment on a case by case analysis, even if this person does not meet a priority, and you believe or have reason to believe that you, that that person is still, presents a public safety threat, it is your responsibility. And this is what we are here for, is to ensure that that person is taken into account and then you meet with your supervisor to discuss it.

It also says the opposite, and that is if they, if they are on here but you do not consider them a public safety threat, it is a 72-year-old man who committed a crime in his teens and is now before you and has never had another criminal record before that but the fel-

ony falls within the priorities, you have the ability to exercise your discretion on it.

You know there is a case in the Fifth Circuit that I followed closely myself, which is the Crane case, that challenged the ability of this kind of discretion, and the court at least at the Fifth Circuit level has gone with us. I am sure, that is still in litigation, we will see how it turns out. But again, the reason that this becomes, is not replacing the law is because this essentially memorializes what I did every day as an Assistant United States Attorney and as the U.S. Attorney. And that is exercise my discretion because I could not enforce with our skimpy little budget 3,000-plus laws that—

Mr. HARRIS. Sure. No, and I appreciate it. I appreciate that. And I think that would be the right thing. The Crane case, I take it, is the one that was ruled on just a week ago, dismissed the lawsuit?

Ms. SALDANA. Yes.

Mr. HARRIS. That was over standing, though. That was not over an issue of, that was not over an issue of whether or not, am I correct? I mean—

Ms. SALDANA. I think you are, precisely, I think you—

Mr. HARRIS. Right, so—

Ms. SALDANA [continuing]. Are more precise than I was. But—

Mr. HARRIS. Correct. So legal standing really, I mean, we know that has nothing to do with the basis of whether or not the President's action was legal.

Ms. SALDANA. But—

Mr. HARRIS. These plaintiffs did not have the ability to have their case heard in court because of legal standing. So let us just dispense with this supporting the President's policy. So did the President get it wrong? Because I am going to read it again. I am going to read it again. This is the President of the United States. This is the person in charge of the executive branch said if an individual ICE official is not paying, and I am going to say, is not paying attention to our new directives they are going to be answerable to the head of DHS because he has been very clear about what our priorities should be.

Ms. SALDANA. The November 20th memo, and he was.

Mr. HARRIS. Right, a memo. So the President was not saying that we are going to ask ICE to enforce the law. It is to enforce the November 24th memo, is that right? Basically—

Ms. SALDANA. Well, Congressman, you know, the law can be, some of them can be very lengthy. I mean, I know this personally. Reading them can give you a headache. But the law is just that. It is not intended to cover how you go about your business. I had as the United States Attorney, I served on the Attorney General's advisory committee. We had to help United States Attorneys flesh out what the law was through policies from the Attorney General. You flesh out what the law is and you try to abide by congressional—

Mr. HARRIS. Sure. Madam Assistant Secretary, and I am just going to, because I have overspent my time here. But I am just going to ask you about, I mean, that point. The fact of the matter is the level three priority and, and this is from your, I mean, I am, this is from your testimony. The third level of priority are people

who have actually had a final order of removal against them. So someone made a legal finding that these individuals are not here legally. Am I correct? That they have violated the law and they are not here legally?

Ms. SALDANA. That is initial, but all of these things can be appealed. But yes. That is the initial finding.

Mr. HARRIS. Okay. So let us be honest. What the President has said, we have individuals with legal findings against them, have clearly been found to violate the law, and the new directive says we are going to, instead of enforcing that law which would result in their deportation we are going to follow a directive or a policy? That, I mean look, I am a doctor, I am not a lawyer. But to someone observing this says we have already made a legal finding, and the new memorandum says we are not going to follow the law, we are going to follow a policy or a directive. And I have to tell you, as a member of the legislative branch, I take that very seriously when the executive branch says we have let the system run, we have made a legal finding, and now we are going to disregard the law. We are going to follow an executive branch policy or directive. And I will tell you, that was a rhetorical question. You do not have to answer that. Thank you very much, Assistant Secretary. And I yield back.

Mr. CARTER. Ms. Kaptur.

Ms. KAPTUR. Thank you, Mr. Chairman. I apologize. I had another hearing. I could not be here earlier. Secretary Saldana, thank you so very much for being with us today. You have a very hard job.

I come from the northern border with Canada in Northern Ohio. And I wanted to ask your help in this issue of human smuggling, particularly labor smuggling. I have spent a lot of my career engaged in this issue, largely from countries, labor from countries south of our, the southwestern part of our country. And I am appalled. As I read your testimony and some of the notes I have been given, your offices are dedicated to identifying and apprehending priority aliens. My concern are the contractors who bring them here.

Ms. SALDANA. The smugglers.

Ms. KAPTUR. The smugglers, on both sides of the border. And I would cordially invite you to my home community of Toledo, Ohio where we have an organization called the Farm Labor Organizing Committee that was training a young man, 27 years old, named Santiago Cruz, to go to the fields in Mexico and to tell the farm workers that they did not have to come under bondage. That they could come with a labor contract. That we would receive them, even their families, we would educate their children through Head Start while they were here. He was murdered. He was murdered in Monterey. There has not been prosecution at a level that there should be in that case, and some of his murderers have never been found.

I went down to Monterrey. I have been in Congress a long time. I went down to Monterrey, met with our counsel down there. And I said, look, just in the area of agriculture, Ohio receives at least 20,000 people a year who pick pickles and they pick tomatoes, they do very hard work, pick strawberries. I would not want to do that

job. They should be coming, we should have the same people every year if they want to come. We should know who they are. And I want you to make Ohio a pilot. We want to treat people like human beings, we respect their work, and we respect them. Our government would not do it. And this was not under the Obama administration, by the way. But I have been looking for someone, someplace, in our government who really cares about people, and people who work hard. And they are being exploited.

I was down in the tobacco fields of North Carolina last year. I met a man from Guatemala who had his finger cut off, no health insurance. He owes \$8,000 to one of these corrupt coyotes who brought him across the border. And I just cannot believe our country allows this to go on.

So I would like to cordially invite you or someone you send to my district to meet with people who are trying to help, and including me, and we have been thwarted at every turn. And I just think that those that exploit this labor have more power than we imagine, and I want to go after them. And I want a work force that is treated fairly. We do not want to bring people in as unidentifiable aliens and all the rest of this. We want to know who they are, we want to treat them right, we want them to have a contract. And we want the same people every year if we can get them. Most of our farmers would like to have the same people. They do not want this churning that is going on in the labor force.

I do not know if you can help me but I am making a plea to you. I would really appreciate the opportunity to have people from our region explain what has been going on at our border with people who travel very far and have rather grim prospects because of the manner in which they have been treated. Do you have any ability to deal with that labor smuggling issue?

Ms. SALDANA. Of course. Of course. That is, and again, our expertise is international. And when you cross the border, either the northern border or the southern border, that is where we come in and where we are pretty much the experts on that transnational criminal activity.

You may have read about, or if not I will certainly provide you more information, on Operation Coyote, which is our effort to bring to justice the smugglers and this is where our international team comes in so essentially. And that is they give us information from the local countries where the smugglers are and are inducing and seducing people to come up to this, to the country—

Ms. KAPTUR. They have to be among the cruelest people alive.

Ms. SALDANA [continuing]. On false pretenses. And you remind me of a case I prosecuted involving a Korean smuggling ring. Can you imagine thousands of miles, of carrying these women to the United States, and actually telling them they could get a job and an education here? And they brought them in through Canada, actually. And had them, ended up working in a bar to serve the pleasure of Korean businessmen when they were in the city of Dallas on business. And one woman, the one who actually revealed the scheme, jumped out of the second story home of the smuggler, of the, and this is a large operation. Obviously there is a person here but there is a person in Korea also.

And again, as I say, this is part of the reason we are requesting this additional money with respect to the smuggling activity, the twenty, I think it is \$26 million. Because we have had good success on breaking the backs of some of these smuggling organizations. And that is where our attachés are really helpful in making our connections with intelligence and other information in these countries.

So yes. I would actually personally, I do not want to send anybody, I would actually like to go to Toledo and have some further conversation.

Ms. KAPTUR. We would warmly invite you. This has bothered me for so many years. And I was so angry with our government under former administrations. And we have a region that tries to treat workers well. And we need your help. So I appreciate that. I do not want to run you all over the world. But, you know, when you are flying over the Great Lakes region, we will welcome you.

Ms. SALDANA. We will make a stop.

Ms. KAPTUR. And thank you. Thank you very, very, very, very much. And I will give you the name of a group your staff can look through. It is called the Farm Labor Organizing Committee, FLOC. I think its director is in the heritage of Cesar Chavez. He is a great man. He has given his whole life to this issue. And it should not be so hard. It just should not be so hard. And these criminals that traffic in human beings in the 21st Century, it is beyond belief.

Ms. SALDANA. This Korean person who was the local smuggler was an LPR, a legal permanent resident. And not only did we get him ten years in prison, but we denaturalized him and sent him back to Korea because of his involvement in this international smuggling activity—

Ms. KAPTUR. Well that—

Ms. SALDANA [continuing]. With these young Korean women.

Ms. KAPTUR. You will have the support from this member on a coyote program.

Ms. SALDANA. Thank you.

Ms. KAPTUR. With the finest investigators and the finest security people you can put to work. And again, we invite you to, I would like you to hear directly from those that have been involved in this. And that young man, his mother, I had to go down to Mexico and be a part of a group to help her endure his loss. It was, and to think that, you know, he was trying to treat people fairly and well, and he was so young. And the manner in which he was murdered and so forth was so brutal.

I just, I just also want to say that on the ICE front, and I am sure my time is up. But in my region we are not like Mr. Cuellar's district. You know, we are up north, we are on the Great Lakes. And some of the ICE personnel that come up there are rather inappropriate in the way that they follow people around in our region in cities like Lorain, West Cleveland. I do not know exactly what can be done about that. But it seems to me that you have to be community sensitive also and we have local attorneys willing to work with ICE at the local level to try to support in the DACA and DAPA programs individuals who many times are stopped and they, they did not do anything wrong. They have green cards, they are here legally, and yet they are followed. I do not know why all that

happens. I think it is just because it is such a difficult job. But it seems to me that there could be a more appropriate community approach in some of these places. And we will probably, if you are kind enough to come to our region we will want to discuss that a little bit with some of the victims of rather ham-handed approaches to following individuals who should not be followed.

Ms. SALDANA. Well I will tell you that it would be helpful to get more information from you with respect to that. And I am happy to meet with nongovernmental organizations, too, to talk to them about—

Ms. KAPTUR. Thank you.

Ms. SALDANA [continuing]. Our new approach.

Ms. KAPTUR. Thank you very much. And thank you, Mr. Chairman, you have been generous with the gavel.

Mr. CARTER. Thank you, Ms. Kaptur. Mr. Young is next but he is willing to, because Mr. Stewart has a real crisis, yield to Mr. Stewart. Mr. Stewart.

Mr. STEWART. Well, thank you Mr. Chairman. And I would not call it a crisis but I do have another appointment. So thank you, Mr. Young. Thank you for ceding your time. And I will be brief. Madam Director, welcome. You have got kind of a tough job. It is not one that I envy.

I want to tell you a little bit about my background because it brings me to the topic, which I have a real emotional attachment to, and that is before I came to Congress I was a writer. One of the books I wrote was with Elizabeth Smart telling her story of being captured and held. And that got me involved with another community in the West who, and primarily in Utah, but that is not the only place. But these guys will, they are former Special Forces soldiers and other law enforcement officials that pose as businessmen. They go to foreign lands and involve, pretend to be involved in the trafficking of children and they rescue these children. Dozens at a time, last month something like 50 of them, young, young girls, and in some cases boys, who are being sold into sex trafficking.

The crisis that we faced last summer, to use a word that we use often but I think it certainly applies here, are these unaccompanied children that were crossing the border in numbers we had just simply never seen before. And I would ask you, I think I know the answer but I am going to say this and you can say yes, that is about right. In 2012 the number of unaccompanied children was 27,000 or something like that; 2013, 44,000; last summer, 68,000. Now I am not a mathematician, but just doing it off the back of my head that is about a 60 percent increase every year. And I have two concerns and then I will get to my question.

The first concern is I believe the administration's policies fairly or unfairly create the impression that if these young children can get to the border, not even cross the border, in some cases surrender at the border, that they are going to be allowed to stay here. And because we have not done a great job of communicating and also having policies that I think actually foster that misconception we are endangering the lives of tens of thousands of young children.

But the primary thing I want to ask you is this. With this human trafficking, do you know what percentage of these unaccompanied children were involved in say drug cartels, were involved or associated in some way, were being exploited, or were sold or traded or given into some of these human trafficking or these individuals who deal with the sex trade of unaccompanied children?

Ms. SALDANA. As you know, Congressman, the children from Central America who comprise a large part of that group from last year are treated differently than the typical undocumented worker or illegal immigrant.

Mr. STEWART. You mean the OTMs? Is that what you are talking about?

Ms. SALDANA. Yes.

Mr. STEWART. Okay.

Ms. SALDANA. And that was a large part of that. And that is, again, a more expensive proposition when you are dealing with someone from countries that are not on the border. They, we, obviously we get as much information as we can. They are treated completely different. We cannot expedite their removal. We have to, we turn them over—

Mr. STEWART. Madam Director, for, because both of us have just a little time, I really have a fairly simple question. Do you know what percentage of them were involved with this trade or forced into this trade?

Ms. SALDANA. I cannot tell you the percentage or an exact number right now, but I do know we glean that kind of information.

Mr. STEWART. Do you have an idea? Could you give us your best estimate?

Ms. SALDANA. I do not want to speculate, sir. I really, I really would rather try to find that information for you than to just give you a number off the top of my head.

Mr. STEWART. Okay, do you think it is a large percentage?

Ms. SALDANA. It will be a, I think it will be significant.

Mr. STEWART. Yes.

Ms. SALDANA. I cannot say that, I do not want to quibble on words. But—

Mr. STEWART. Okay. But it is not a meaningless, I mean, heavens, if it is a few it is a lot.

Ms. SALDANA. Yes, of course.

Mr. STEWART. And this is more than that. This is a, and I am wondering what steps you are taking to try and, to try and, A, you know, educate the American people what is happening there, and B, what can we do to protect these children? Because either way we are putting them in harm's way.

Ms. SALDANA. Well one of the things I have personally done in my three-plus months is I have been to Central America. I did a round there and to Mexico City to meet with my counterparts, the immigration officials there to make very clear the President's view, the Secretary's view, and my own view that this is, this is not a good thing. And that we would like to work with them to come up with some programs to help those governments deal with their children and keep them there.

The First Lady of Guatemala, for example, is the person who deals mostly with the children, the child problem, of those people

that are coming to the north and she has programs in place. And we met with the directors of those programs to educate parents there in their countries, because this is what you want first. You do not want them making that trek.

Mr. STEWART. Yes.

Ms. SALDANA. And to, and to let them know it is, not only is it dangerous but that we can provide you some fundamental services.

Mr. STEWART. Yes.

Ms. SALDANA. So we are working with all three governments, Ecuador, Guatemala, and Honduras, and trying our best to—

Mr. STEWART. Well let me conclude with this. We are having a nearly 60 percent increase going on three years, and probably four years now. And I know this was not under your watch but it is under this administration's watch, and we have to do better than that. We cannot be in July and August, like we were last year, completely unprepared and I think encouraging an activity that is very destructive for these younger people.

Having said that, thank you for what you do. I hope you understand why this is such a concern to the Americans. Mr. Young, again, thank you for giving me your time. Mr. Chairman, I yield back.

Mr. CARTER. Mr. Young.

Mr. YOUNG. Thank you, Mr. Chairman. Director Saldana, I want to reread that quote from the President on February 25th at Florida International University, when he said there may be individual ICE officials or border patrol who are not paying attention to our new directives. But they are going to be answerable to the head of the Department of Homeland Security because he has been very clear about what our priorities should be. If somebody is working for ICE and there is a policy and they do not follow the policy, there are going to be consequences for it. What did you think about when he, the President said that, when you learned about it? Did that concern you at all? Did you have any, any red flags go up at all?

Ms. SALDANA. I am trying to be honest with you, sir. No. I imagine you have staff that you expect to comply with your directives and your policies. I imagine the typical employer in the United States has employees who they expect to follow their directives, their policies. I have got an employee manual this big that says if you violate one of our employment policies, here is the range of punishment you can have. So no, it did not strike me as unusual.

Mr. YOUNG. Well if I had policies or directives that were contrary to the law, I would understand if they did not want to follow them. And so I would expect them to follow the law first. Don't you—

Ms. SALDANA. And that is where you and I probably have a fundamental disagreement.

Mr. YOUNG. Oh, okay. Don't you see how some may in the DHS personnel see, perceive that as perhaps a threat? Including you, maybe, who simply want to obey the law?

Ms. SALDANA. You know, a threat, I am here of my own volition and will. I am just trying to help the United States of America and our country on issues that are so divisive. It does not worry me if somebody wants to fire me because I am not doing what they want to do. I have a great state to return to and a home there. So no,

I am not threatened by it and I trust our employees are not. They, I have spoken to many of them. I plan to visit as many of our offices as I can to explain that to them.

Mr. YOUNG. Well, I mean, I think that the public record contradicts that with some of your employees are feeling like they are being retaliated against or threatened, lawsuits perhaps. I want to just, I want to quote the President of the National ICE Council Chris Crane, saying that the agency leadership is, "punishing law enforcement officers who are just trying to uphold the U.S. law and willing to take away their retirement, their job, their ability to support their families in favor of someone who is here illegally and violating our laws, either taking a disciplinary action or threatening disciplinary action."

Ms. SALDANA. And I have met with Mr. Crane—

Mr. YOUNG. That is serious.

Ms. SALDANA. Yes, and I have met with Mr. Crane. We actually have had positive meetings because we are both working together to try to get our ERO people on a parity level with respect to their employment, immigration enforcement agents and deportation officers. And we accomplished, we hope we have accomplished that.

But I am not going to get in the middle of pending litigation. I cannot comment further on that. But I want to work with Mr. Crane and with our labor partners to try to make things better for employees. In the end, in the end the most important thing in accomplishing our mission is our employees, and that they feel like they have an ability to do their jobs and for me to provide the tools they need for that. And I am working very hard to do that.

Mr. YOUNG. Well you mentioned the labor leaders as well. And as you know, Chris Cabrera also has concerns as well with Local 3307. And I am not going to get into his, what he has been saying. But there are concerns out there, as you know.

But, you know, this also gets, this is serious stuff. And this also gets down to I think the morale of the whole department. And we have had these discussions with Secretary Johnson as well. There seems to be just a real low, lowest in the administration, I think, is the, at the Department of Homeland Security. What are you doing to try to increase that? And what are you doing to try to stand up and protect your personnel who may feel intimidated here at times with policies and directives when they believe they themselves are just trying to uphold the Constitution and obey the law? How do you support them? How do you help increase the morale there in this very, very important agency? And you have a very important job and I respect you immensely. I want what is best for this country as well and for your employees.

Ms. SALDANA. Thank you, sir. I have actually done a lot in the three months that I have been there. I started with, as I think I told you, the chiefs, but I also am trying to get to as many offices as I can to meet with people and listen, just listen, make notes, and come back and see what I can do about concerns and complaints there are.

I have launched a professional development program where I want to make sure that our people, as I said earlier, are given the tools they need, the resources that you all have a lot to do with in order to do their jobs. And so importantly that information tech-

nology that they need to communicate with each other and with local law enforcement.

We have a group, and I am exploring further the possibility of having a group of field office directors, supervisors, and other folks to come in regularly to visit with me so I can stay in touch with the field and not get surrounded by this, what do you call it? What do you call Washington, D.C.? How can I be nice about this?

Mr. YOUNG. The island surrounded by reality?

Ms. SALDANA. Exactly. I need a touch of reality because you, you can get knee deep in things that are not as important as serving the American public. And so I am doing all of those things, not for my own personal glory but because I think this, this agency needs a lot of institutional practices, best practices, that will stay even after I am long gone.

Mr. YOUNG. Well I appreciate you being here today. And I also appreciate your leadership. And I would just ask that those folks within your agency, when they believe that they are doing the right thing under the law and under the Constitution, and they feel intimidated, that you stand up for them. And I appreciate you being here today. Thank you, Mr. Chairman.

Mr. CARTER. Thank you. Ms. Roybal-Allard.

Ms. ROYBAL-ALLARD. Sir, if I could just have—

Mr. CARTER. She would like to be recognized for just a moment.

Ms. ROYBAL-ALLARD. Thank you. Director, I just want to clarify a point on your earlier response, on the relationship between the law and the President's policies. The fundamental disagreement to which you referred was whether the policies are consistent with the law. And your position is that the President's policies are entirely consistent with the law? Is that correct?

Ms. SALDANA. Oh, yes.

Ms. ROYBAL-ALLARD. Yes? Okay.

Ms. SALDANA. Oh, yes. Of course. And again, I am not saying this because I am a constitutional expert or anything like that. But I do know that our, the Department of Justice scoured the requests of, and the information submitted to them for a General Counsel opinion on whether or not things they were doing or proposing to do were within the confines of the law. And they got a yay on some and they got a nay on others. And that the President proceeded along with the Secretary to proceed with the ones that were within the confines of the law. I, that is all I know, is enforcing law. That is all I know.

Ms. ROYBAL-ALLARD. Okay, thank you, Mr. Chairman. Mr. Culberson, thank you.

Mr. CARTER. Mr. Culberson.

Mr. CULBERSON. Thank you. Madam Secretary, thank you very much for being here today. Your budget request this year is for \$6.282 billion in discretionary funding and mandatory fee authority that, as you say in your testimony, is in line with the fiscal year 2015 enacted budget. How do you use for example the discretionary portion of the funding that you receive from the Congress?

Ms. SALDANA. How?

Mr. CULBERSON. Yes, ma'am. For what different purposes within the agency's operations do you use the discretionary funding versus fees? Starting with the discretionary?

Ms. SALDANA. Our—

Mr. CULBERSON. What type—ma'am?

Ms. SALDANA. I am sorry, go ahead. Our core mission, and that is, and I think I mentioned them a little earlier, the enforcement part, the investigations, the international folks that we have, the management and administration people who keep us all in proper facilities, keep the phones working, and keep us supplied with things.

Mr. CULBERSON. Right. What I was driving at is you use the discretionary portion of the funding that you receive then primarily for administrative functions in the—

Ms. SALDANA. No, to accomplish our core mission.

Mr. CULBERSON. To accomplish your core mission. Are they distributed—

Ms. SALDANA. Supported by our administrative function.

Mr. CULBERSON. And what, what amount of the \$6.282 billion is discretionary versus mandatory fee?

Ms. SALDANA. From what I see here it is six-point, 5.959637.

Mr. CULBERSON. Wait, wait, wait—

Ms. SALDANA. \$5,000,959,637.

Mr. CULBERSON. \$5.959 billion is, where is that money coming from?

Ms. SALDANA. This is for 2016. This is the discretionary.

Mr. CULBERSON. Oh, \$5.959 billion is discretionary money that does not come from fees?

Ms. SALDANA. Right. The fees part of it is included in the \$322,000 which comprises \$6.28 billion together.

Mr. CULBERSON. Okay. So the fees are—

Ms. SALDANA. Are very small.

Mr. CULBERSON. What, so the fees are only a very small part. So your discretionary funding from, that of course comes from Congress—

Ms. SALDANA. It is how we run the agency.

Mr. CULBERSON [continuing]. Is the, is the overwhelming majority of your funding?

Ms. SALDANA. Right. Our sister agency, Citizenship and Immigration Services, has a large part of its funding from fees.

Mr. CULBERSON. Right.

Ms. SALDANA. But we do not.

Mr. CULBERSON. Right. So what, what of your, so your portion of discretionary funding you said is \$5.959 billion, and then the remainder is from fees. And the, and the, your sister agency draws what portion of their funding from fees?

Ms. SALDANA. Sir, I am sorry. I am having a hard enough time with my own budget.

Mr. CULBERSON. Sure.

Ms. SALDANA. I have not kept up with CIS.

Mr. CULBERSON. Now the funding, the card that you all have there, that is, I would be very interested to see that.

Ms. SALDANA. Would you like it?

Mr. CULBERSON. May I? Yes. Would you get that for me? Now that is, your officers are using that today in the field to help give them guidance on the—

Ms. SALDANA. Yes, sir. It is essentially the November 20th memorandum of the Secretary but reduced to a simple card.

Mr. CULBERSON. I see. So their, I have seen these before and, you know, coming from Texas we work very closely together with all our colleagues that have, live up and down the, and represent folks up and down the river, and we have seen something like this before. So this is to help your agents enforce the November 20th directives?

Ms. SALDANA. Right. In addition to all the training that we have done and continue to do that was accomplished back in January before we kicked off the program.

Mr. CULBERSON. Right. So they are, you are using this today? Your officers in the field are using this today?

Ms. SALDANA. Yes.

Mr. CULBERSON. And, and putting it into effect today?

Ms. SALDANA. Right. And I have charged the field office directors and all of the supervisors, you know, to be available for questions. Obviously our legal, our OPLA people, our Office of the Legal Advisors, are also available for questions.

Mr. CULBERSON. Right, proceeding to enforce, to continue to enforce the November 20th—

Ms. SALDANA. Right, that is just a shorthand way to carry it in your pocket.

Mr. CULBERSON. Yes, no, I understand. What concerns me, though, is that you are under an injunction. You cannot enforce or follow through on the November 20th memorandum because the district judge in South Texas, Judge Hanen, and it is before the Fifth Circuit on Friday, you are under a temporary injunction not to enforce the November 20th memorandum. But you just told me your agents are in the field using this card to enforce the November 20th memorandum.

Ms. SALDANA. I think there may be some confusion. That decision, Judge Hanen's decision? Is that what you are referring to? Is, relates to extended DACA, the children, the admissibility of children, and extended DAPA. That is a program administered by Citizenship and Immigration Services, our sister agency. We are very, our enforcement priorities were not one bit affected by that decision. It was simply whether or not the administration could proceed with extending DACA and initiating the parents part of the it, the DAPA program.

Mr. CULBERSON. Mm-hmm.

Ms. SALDANA. And that is CIS.

Mr. CULBERSON. Right. The only—

Ms. SALDANA. Now we had—

Mr. CULBERSON. The home, your home, the homepage for Homeland Security says, it says it does not affect the December, excuse me, the 2012 DACA initiative, but it is, it enjoins the November 20th memorandum.

Ms. SALDANA. There were like eight or nine memorandums that day.

Mr. CULBERSON. They were enjoined, right.

Ms. SALDANA. No. No, no, sir. No. Just the one that dealt with establishing a DAPA program with respect to the lawful presence of parents—

Mr. CULBERSON. Mm-hmm.

Ms. SALDANA [continuing]. Of undocumented immigrants, and the extension of the DACA program which initially was just limited to a certain number of people and it was proposed to be expanded.

Mr. CULBERSON. Mm-hmm.

Ms. SALDANA. That specifically is what was enjoined. The way ICE, my agency, was affected was very, was very little with respect to that. Because I think we had posters in our field offices that said you may be able to qualify for this—

Mr. CULBERSON. Mm-hmm.

Ms. SALDANA. [continuing]. You, here is information on where to go at CIS. But we are enforcement.

Mr. CULBERSON. Yes, so you—

Ms. SALDANA. We do not do administration of benefits like CIS does.

Mr. CULBERSON. Mm-hmm.

Ms. SALDANA. Which is what is at the heart of the, Judge Hanen's decision.

Mr. CULBERSON. So you are not bound in any way by Judge Hanen's decision in your opinion?

Ms. SALDANA. We are with respect to those two or three areas where we had posters up. We took them down, because we did not want to be seen to be promoting the program with respect, while the injunction is still being litigated. And it is CIS that carries the brunt of that decision.

And the Secretary has clearly, has made very clear, and it is on the website, that the enforcement aspect and the priorities, and if you read the opinion you will find, are not affected. We proceed with those.

Mr. CULBERSON. Mm-hmm. What, in the budget request you have submitted to us is necessary obviously for you to fulfill your mission to enforce the law. Have you, but you were saying earlier that you felt you did not have enough funds to, to enforce the law. You have to use your discretion, obviously, as a prosecutor. Is the request then insufficient? I mean, I just want, trying to get a handle on if you are prioritizing your resources because you do not have enough, does the fiscal year 2016 budget request not—

Ms. SALDANA. I am very, very pleased with it, sir. I would not, it has some increases but it also reflects some efficiencies that we have been able to accomplish with some hard work. And I cannot take credit for that. It is the people behind me who should.

Mr. CULBERSON. So your request would enable you to enforce the law fully?

Ms. SALDANA. Absolutely, sir.

Mr. CULBERSON. Okay. One final question. What is ambiguous, if I do not see that it is ambiguous, the requirement that you use not less than 34,000 detention beds? That is statutory in the Homeland Security bill, mandatory—

Ms. SALDANA. Yes, I have the language right here.

Mr. CULBERSON. Right.

Ms. SALDANA. It says provided further that funding made available under this heading shall maintain a level of not less than—

Mr. CULBERSON. Is there anything about that that is discretionary or optional?

Ms. SALDANA. No. We have maintained that capacity.

Mr. CULBERSON. Right. But you are not using it. Right now you are at about 26,000.

Ms. SALDANA. Well that is dictated, sir, by the flow of immigrants. As you know, Customs and Border—

Mr. CULBERSON. There is no shortage of folks coming over the border illegally.

Ms. SALDANA. Right. And we need to apprehend them and find them. But what I am saying is, as you know at the border apprehensions are down, the first line of defense is CBP, is down about 24 percent. So that is going to obviously affect, since we get about 60 percent of our beds from, or our apprehensions from CBP, that is going to affect that. Plus we are, it is seasonal. This is a seasonal flow. And we are just getting to the warmer months where there is, the migration patterns in the past have shown us there might be an increase in migration.

Mr. CULBERSON. So is it not, is it optional for you to use those 34,000 beds in your opinion?

Ms. SALDANA. Optional? It is not optional to have them available.

Mr. CULBERSON. But it is optional whether or not you use them?

Ms. SALDANA. It is not optional, sir. We have those, and we will use them to the extent we make decisions that someone needs to be detained. If you are asking me whether it is more important to fill a bed than it is to do it right, I have to go with doing it right. And that is—

Mr. CULBERSON. Right, I—

Ms. SALDANA [continuing]. Make our decisions on the basis of, just like the federal courts do—

Mr. CULBERSON. Yes. I will close with this, and I thank you for the extra time, Mr. Chairman. But if it is not clear, I mean, we as policy makers and statute drafters wrote this so it is not ambiguous, it is not discretionary, it is not optional. We want you to use 34,000 beds.

Ms. SALDANA. That is absolutely—

Mr. CULBERSON. You have got plenty of demand.

Ms. SALDANA. That is absolutely—

Mr. CULBERSON. You have plenty of demand. You—

Ms. SALDANA. That is absolutely clear to me. But sir, we do not detain people just for the heck of it.

Mr. CULBERSON. I know that. But you could—

Ms. SALDANA. We detain people based on what the law tells us, and that is is this person a flight risk? And is this person a threat to public safety? And those are the decisions that our very seasoned officers are out there making everyday.

Mr. CULBERSON. Mm-hmm.

Ms. SALDANA. And from what I have seen and observed, they are making the right decisions.

Mr. CULBERSON. Well I feel very confident you could find an extra 9,000 criminal aliens that needed to be detained to fill those beds in a heartbeat.

Ms. SALDANA. We are working on that. That was part of what Operation Cross Check was, is—

Mr. CULBERSON. But you feel like this is, does not require to use the beds so I think perhaps the language might need a little tweaking. Thank you.

Ms. SALDANA. Well, that is not what I intended. I said it is capacity. In my view it is there—

Mr. CULBERSON. Well, the President thinks statutes are option and subject to his discretion, and he is obligated by the Constitution to take care that the laws be faithfully executed. He is clearly in violation of that.

You have told us you do not think this policy that the President has issued is contrary to the law. We as policymakers and legislators are here to— the law enacted by Congress is what the President and the agencies are to follow, not a policy directive or a memorandum sent out by the head of an agency. It is the law enacted by Congress that you and the President are obligated to follow and there is just a fundamental disagreement here.

And I think it is at the root of what has outraged the country, quite frankly, from coast to coast is that the President systematically and repeatedly refuses to enforce the law as written, and you have just confirmed that for us today. It is upsetting and concerning, because we in Texas feel the brunt of this with the number of criminal aliens coming across the border. The drug runners, the killers, the sex traffickers. It is appalling and outrageous and no one is more worried about it than the communities that, for example, our good friend Henry Cuellar represents along the Rio Grande River.

Ms. SALDANA. And that I have a home in.

Mr. CULBERSON. Nuevo Laredo is a ghost town, as you know. It is a terrible situation. So we expect you to follow the law as written and when something says, “shall,” it is not optional.

Ms. SALDANA. We—

Mr. CULBERSON. Thank you for your time.

Ms. SALDANA. And I didn’t say that, sir. I really said, in my view—

Mr. CULBERSON. You feel like you do not need to use them?

Ms. SALDANA. No, sir. We are working to use them. Every day people are out there trying to find—particularly with respect to persons with criminal records and those that meet our priorities, we are trying to find those folks, if we are not handed them to us by CBP.

To me, the important thing is to make the right decisions as required by law as to whether we can detain someone or not. The sole purpose and goal is not to fill a bed, it is to fill it in the right way. That is my view.

Mr. CULBERSON. Thank you, Mr. Chairman.

Mr. CARTER. I have a lot of things I would like to talk about, but this is very disconcerting. In the world that I grew up in, one of the things we prided ourselves in was an independent executive department, we have an independent legislative department, and we have an independent judiciary. As part of the judicial system, you have prosecutors. Their job is to prosecute those people charged with a crime by indictment or by information, depending on what level of the court system you are in. These are very simple.

I think it would be—and I will just bear it down to the state level for just a moment, which mirrors the United States Government supposedly— I think it would be shocking for the governor of the State of Texas to tell police officers and sheriffs to make a decision as to whether or not to release people based upon his directive. You shall release the following people because these are people I do not think should be arrested.

Now, follow me on this. You were a prosecutor, part of a supposedly independent judiciary, but in reality what we are saying here is it is not really independent. It is dependent upon what the President directs how you should prosecute and directs. I believe that there is discretion in a prosecutor's office. It is the prosecutor's discretion; not the governor's discretion, it is the prosecutor's discretion. Their decisions are made upon and available to the court the seriousness of the offense, the threat to public safety, and all of these things which are commonsense things that we expect our law enforcement and our prosecutors to have.

Yes, cops make certain decisions as who to arrest and who not to arrest under certain circumstances, but not because somebody directed them to ignore the law. Because we trust our police officers to determine the exigent circumstances of the arrest and what they are dealing with and to make those decisions, not because the governor of the State of Texas tells Officer Jones in Hosanna, Texas, I do not want you arresting anybody for drug cases because I like to smoke marijuana.

I am making that up. But at some point in time varying the way the system is supposed to work, the variations can be carried to the ridiculous. And the trust that the American people have in the government, especially the Federal Government, is diminishing more in the last six years than it has diminished in the history of the republic. Because what do a bunch of people in the White House get to say about following the law? The law, as far as the immigration law is concerned, recent border crossings shall be detained.

Mr. CULBERSON. Absolutely.

Mr. CARTER. Now, there is a reason for that. You know why we detain people, you are a prosecutor. I bet you have made speeches to your juries when you are talking to them. Putting these people in prison, it deters others from doing it, it punishes them for doing it, and it protects society. You made those arguments every time you walked into the courtroom almost, I almost guarantee it.

Now, that is what we expect. If we follow the logic of directives from the White House into the judicial system of the United States, telling you what laws you should and should not enforce, not use your discretion to do it, no, that is different. No, you shall do this because I told you to and there will be consequences if you do not. That is different than prosecutorial discretion or officer discretion. That is being ordered at the risk of losing your job, losing your pension, and losing other things. We are going to hurt you if you do not do what I say.

We had a guy named King George we had some problems with on those issues. I want someone to explain why that is different than what it is supposed to be. This is not about the Department right now, it is about the philosophical difference in the view of the government. I run into people literally every day that say, what are

you going to do about the lawlessness? You are an old judge, you stood for the law in our county for 20 years, why are you not doing something about the lawlessness in Washington?

Now, this is just prosecutor to a retired member of the judiciary. What do you think about that? Because you see this is the executive branch telling the judicial officers how to do their job.

Ms. SALDANA. I see this as—this is what is so profoundly confusing to me, why we are ships passing in the night here on this subject—I see this as an extension of what I did as the United States Attorney. I knew I had so many millions of dollars to protect almost 10 million people in North Texas in a hundred counties, and that I had so many employees and that I had 3,000-plus laws to enforce. In order to make sense out of who has the possibility to hurt my community more, there were people I would have loved for our folks to prosecute who we just could not reach, I had to make decisions on prosecutorial guidelines.

Mr. CARTER. I agree with everything you are saying. You are a prosecutor, but that ICE agent sitting out there, he is not a prosecutor, he is a cop. Are we expanding now to the discretion of enforcing the laws of the United States down to our law enforcement officers? Does the constable in my local county have the ability to make the decision that he is not going to enforce the law and call it prosecutorial discretion?

At what point do we stop taking this from our created constitutional system and putting it in the hands of the individual? Because quite honestly, I do not think we want the king making that decision, and I do not think we want cops making that decision.

Ms. SALDANA. This is not much different from what they have done every day, Mr. Chairman. They have even before executive action, we train them to use their best judgments with respect to the people they find. And law enforcement, in the end, their primary interest is protect the community. And the question is, if you have only got so much money, how are you going to—where are you going to focus your resources? It makes eminent sense to me.

Mr. CARTER. Then let them make those decisions, but do not let the President of United States threaten their jobs, their pensions, and their lives if they do not do it the way he wants to do it. That is the problem we have got with this system. It is none of his business how an ICE agent operates unless he is operating outside the law, if you are saying the ICE agent gets discretion. If a sheriff's deputy gets discretion, that is between him and the sheriff, but it is not between him and the county judge or the district judge telling him, "sorry, Cop, here is how I want you to make your arrest". That is not the way our system is supposed to work. That is my concern.

I want to get off that, but that is why people at home are so upset and that is why a lot of us are upset.

Let's talk about your hiring challenges, because quite honestly that money from this budget does not look like it is going to get used and we are asking for more for the next budget. We need to know how you expect that to work. If you are not going to use that money for that purpose, are you going to ask for us to move that money someplace else?

Ms. SALDANA. Something that has gotten my attention and that is exactly what you are talking about. The hiring, you know, up until two months ago we were under the specter of shutdown and sequestration, and it is not as if you can go out and hire people under those circumstances. I am not sure who would be interested in taking a job where they do not even know if they are going to have one.

But what we did, though—and we are peddling as fast as we can—what we did do is we started people in the pipeline. Started interviewing, getting information, applications, geared up our classes, geared up our classes in order to train people before they hit the job, and we are working very hard at it. We have got the balance of this year and then obviously we are asking for these additional people the next year. I believe very sincerely that with Oversight—and that is on me—that we can get through that process, which is cumbersome in the United States of America with federal employment. It just is, especially with law enforcement officers who have special security requirements, as it should be, and training that they are required to have.

So the minute we knew we were going to have an appropriation, we geared back up and I think we are going to be prepared to meet our 2015 hiring. At least it may spill over a little bit into 2016, but I believe we will get that all done before the end of 2016. I think we will use that money and that is why we are asking for it.

Mr. CARTER. For hiring?

Ms. SALDANA. Yes, sir. Those—

Mr. CARTER. Just that what you are requesting is to make a change. Because you have that ability to ask us to shift funds to other programs.

Ms. SALDANA. Okay.

Mr. CARTER. If you are going to, we would like to know what those are.

Ms. SALDANA. Okay, sir. We will keep that in mind and we will keep you apprised as quickly as we can as we see that pattern developing.

Mr. CARTER. I can understand the argument on the fiasco we had a while back, and it wasn't my doing.

Ms. Roybal-Allard.

Ms. ROYBAL-ALLARD. Okay. Well, not to belabor the previous discussion, I just want again to have some clarification.

I would agree with the chairman and other members of the committee, if the decisions that we are talking about were decisions that were just made in isolation and, you know, the executive branch came up with an idea and then tried to enforce it on ICE or any of the other agencies. But it is my understanding that before these decisions are made, either through executive order or whatever, is that they are fully vetted through constitutional lawyers, through the Justice Department, to make sure whether or not they fall within the law of what the President can and cannot do.

So if that is not the case, then I would like some information on why that has not happened. And I do not want it necessarily right now. But my understanding that these executive actions have been fully vetted, gone through Justice, gone through constitutional law-

yers, and in many cases the decision has been said, no, you cannot do this and it has not been done. Is—

Ms. SALDANA. Yes, that is a 33-page opinion from the Office of General Counsel and it is very thorough and complete. It certainly satisfies me that those actions are within the law.

Ms. ROYBAL-ALLARD. And then I have another point of clarification. When I asked the questions about did the hunger strikers at Karnes and whether or not the participants had been offered release on bond and I believe your response was that they were given bond determination. And my understanding is that bond determination can be, you know, no bond. And we have staff that has met with several of the families that were involved on these hunger strikes, about four families, and they were not given a bond amount.

Ms. SALDANA. Let's not put the cart before the horse. The first decision is whether to detain or not. And if a decision is made not to detain, then the opportunity for bond comes up. Families are no different from adults, they have to satisfy the person making the decision that they are not a flight risk or a threat to the community.

I do not know the four specific families you are talking about, but they might not have been given a bond opportunity if the decision was made with respect to those two elements. But they all know and many, many, many take advantage of our detention decisions or our specific bond decisions they can appeal to the court, the immigration courts, to lower the bond, change the bond, remove the bond, and reverse the detention decision for that matter.

So as I said, I am happy to visit with you about that. They either fall into that category—I do not know the four in particular you are talking about, but they either fall into that category where a decision was made that they should be detained and they did not appeal. But if the decision was made, yes, you can be released, you are not a flight risk, but we want you to appear in the future, we are going to set this bond, that should have happened and that is—

Ms. ROYBAL-ALLARD. So some could be—like, for example, these four were not offered bond. And maybe, I don't want to take up the committee time now, but I would like to follow up—

Ms. SALDANA. Absolutely.

Ms. ROYBAL-ALLARD [continuing]. On that as to what the reasons were. Because, as I mentioned earlier, there were also allegations of mistreatment and other things that I would like to follow up with you on.

Ms. SALDANA. Okay. Thank you, Congresswoman.

Ms. ROYBAL-ALLARD. Last November, the secretary issued a memo directing the implementation of the Priority Enforcement Program, which is intended to take the place of secure communities, and the PEP program relies on the voluntary cooperation of local law enforcement agencies.

My question is that, based on ICE efforts so far, have you found that state and local jurisdictions are willing to provide the advance notifications and, if not, what are the stumbling blocks to their participation?

And then, finally, what is the current status of implementing the program and when will it be fully implemented?

Ms. SALDANA. I am very anxious. People have been working around the clock, the forms, the requests for notification. This is essentially a new form, as opposed to a detainer request, I am told finalized. I mean, everyone, including NGO, has had an opportunity to review them and make comments, and we have been tweaking and changing. I think that will be imminent. And our hope is that we can do a form—and we need those forms before we go to the jurisdiction and say here is the form. I mean, that has not stopped us from visiting with them. And the secretary and I actually have made joint visits, at least one joint visit, and we are spreading out across the country to visit with folks. I think I made the offer with you to come to your jurisdiction too. They are listening.

There is a long history, as you well know, with respect to the secure communities program and the trust. And so we are doing our best to try to work on that and build—rebuild trust. So we are hopeful, we are hopeful of the jurisdictions, because we all have the same interest in mind, bottom line, and that is public safety. I am hopeful that the program will be kicked off the ground formally before the end of the month.

Ms. ROYBAL-ALLARD. But is your experience that they are more receptive to this than—

Ms. SALDANA. We just started our campaign of going across the country, but nobody has slammed the door on us.

Ms. ROYBAL-ALLARD. Okay. To ensure that under the PEP there is going to be transparency with regards to ICE's request for notification, will ICE include the immigration enforcement priority that is the basis for the request?

Ms. SALDANA. You know, as I was saying, people have been reviewing that form and I know that was a subject of some debate, and I cannot remember finally what it was. As soon as we finalize that, we can certainly make it available to you. I just cannot remember if we ended up with that in there or not.

Ms. ROYBAL-ALLARD. Okay. And, finally, last November's memo from the secretary establishing the PEP indicated that detainers would only be used in special circumstances, such as when there is sufficient probable cause to find that the person is a removable alien.

Is ICE still issuing detainers and who makes the determination as to whether sufficient probable cause exists to justify the use of the detainer?

Ms. SALDANA. It is the officer. Some jurisdictions are requesting that a federal judge get involved in these decisions. I cannot even imagine with the way the courts are overloaded as it is that a federal judge is going to want to review an administrative civil enforcement decision to detain. So that is a big stumbling block with some jurisdictions.

You might have asked another question that I have failed to answer. Were there two or three questions there? I cannot remember.

Ms. ROYBAL-ALLARD. There were several, but I think you may have answered. I have already turned the page, so—

Ms. SALDANA. Okay.

Ms. ROYBAL-ALLARD. During last year's hearing, I asked about the status of expanding compliance with the 2011 Performance-

Based National Detention Standards to more facilities housing ICE detainees. And the deputy director stated that he had asked ERO and the ICE CFO to develop an execution plan that would take into account any increased per diem costs associated with requiring detention facilities to meet those standards.

What is the status of requiring detention facilities used by ICE to adhere to the 2011 Performance-Based National Detention Standards and do you expect to eventually get to 100-percent compliance for all facilities housing ICE detainees, including ICE facilities, contract facilities, and facilities housing detainees under an inter-governmental agreement?

Ms. SALDANA. Of course, with respect to our facilities that we run ourselves, we are there and we are complying with those. It is the contract, as you mentioned earlier, that is the issue, because they have a contract that may run a period of time that does not have that provision. We are obviously on top of that. We are expecting them to generally comply, but we will be sure to put that in the contract in the next go-around.

The last time I checked, Congresswoman, we were about at 60 percent or something of compliance among them and part of that will be the people who we are going to have to renew their contracts and put it in there. But it is something that is very much reviewed. The standards that are applied, that is part of our monitoring, review and auditing process. We are checking all the time and making corrective action where there are issues.

That is the status.

Ms. ROYBAL-ALLARD. Okay. Do you have a schedule as to when you hope to have full compliance?

Ms. SALDANA. I do not have one written now, but you know what I can do is check into that executive action, that execution plan you mentioned earlier, and see where we are and provide that to you.

Ms. ROYBAL-ALLARD. Okay. And as contracts—

Ms. SALDANA. Included.

Ms. ROYBAL-ALLARD [continuing]. Come up, that would have to be included, they would not get a contract unless they were compliant?

Ms. SALDANA. Well, they would have to agree to come into compliance, yes. We would not say to someone we refuse to—

Ms. ROYBAL-ALLARD. No, I know, but would there be then a time line? In other words, you know, they can say, yes, we will comply, give us the contract, and then just drag it out until the end of that contract. So what would be the conditions under which someone who was currently in violation of not meeting the standards, what would be the time line in which they had to until that contract would be revoked?

Ms. SALDANA. We would probably have to make that decision on a contract-by-contract basis, but it stands to reason that we are going to be approaching that with this needs to be done within a certain period of time. Negotiations are negotiations, I cannot represent to you that it will be done within a month of signing the contract, but it is certainly at the very highest level of attention when it comes to our new contracts.

Ms. ROYBAL-ALLARD. So would those that are compliant, would they have priority over those that were not yet compliant?

Ms. SALDANA. Are you thinking there is a highly competitive situation out there for people to run detention centers? Because that really—

Ms. ROYBAL-ALLARD. They make a lot of money.

Ms. SALDANA. Yeah, they do, but it does not—it is not palatable to—we do not have people knocking down the doors to come and run our facilities, unfortunately.

Ms. ROYBAL-ALLARD. Okay. That is fine.

Mr. CARTER. All right. Well, I think that concludes this hearing. Thank you for being here. We enjoyed visiting with you, and we will be visiting with you again soon.

Ms. SALDANA. Oh, I am sure. Thank you, sir.

Mr. CARTER. Come see us.

We are adjourned.

QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE John Carter**

**Director Sarah Saldaña**  
**U.S. Immigration and Customs Enforcement**  
 Committee on Appropriations  
 Subcommittee on Homeland Security  
*FY 2016 Budget Request*  
 April 15, 2015

**ICE Family Detention Beds**

**Question:** The cost of beds for family units (\$342.73) is significantly higher than for individual units (\$123.54) primarily because court decisions require more services for families. Please describe the additional services required for families rather than for individuals. Of the \$342.73, can you break out the bed costs from the services? What are they? How do the costs of services in Dilley, Texas, compare to Berks, Pennsylvania? What financial management controls do you have in place to ensure the service costs don't escalate outside normal parameters over time? How many beds are at Dilley and how many at Berks? What is the current vacancy rate? Does the vacancy rate have an impact on cost under the current contract?

**ANSWER:** Family facilities follow the Family Residential Standards (FRS) which are different from the detention standards for adult facilities. The FRS were developed with input from medical, psychological, and educational subject matter experts, organizations such as the Department of Homeland Security Office for Civil Rights and Civil Liberties, and many non-governmental organizations.

The cost of providing family-related services cannot be separately identified within the family bed-day rate. The family bed-day rate is derived from the single fixed-price monthly cost that includes traditional detention costs for resident supervision, food, and healthcare, as well as expenses for family-related services such as the provision of education, enhanced recreational activities, and mental health services. While Dilley and Berks provide the same level of residential services the derived daily bed rate at Dilley is higher because the pricing for services at the Dilley facility includes start-up and non-recurring costs. Due to the fixed price nature of these contracts, no increases in the contract pricing are allowed unless approved of by the Contracting Officer. The daily average costs for the Dilley and Berks facilities without start-up and non-recurring costs are \$295.16 and \$266 respectively.

The chart below shows the current capacity, population, and vacancy rate at both Dilley and Berks as of April 18, 2015. Please note, however, that while each facility has a "maximum capacity", reaching that capacity requires the perfect composition of families being admitted into

the facility, which is very rare and entirely predicated on factors outside of U.S. Immigration and Customs Enforcement's (ICE) control.

Facility	Current Capacity	Current Population	Vacancy Rate
Dilley	480	342	29%
Berks	96	89	7%

Since both Dilley and Berks are fixed price agreements, the vacancy rates at those facilities do not have an impact on costs under the current contracts.

**Question:** In the FY15 conference agreement, Congress added \$362.2 million for 3,732 new family detention units yet the FY16 request is only sufficient for 2,760. Why are the additional beds no longer needed? Does this mean there will be unobligated carryover from FY15 that can be rescinded or used for other purposes? What amount?

**ANSWER:** Due to a reduction in the number of U.S. Customs and Border Protection apprehensions, U.S. Immigration and Customs Enforcement (ICE) is planning for an operational capacity of 2,760 in fiscal year (FY) 2016. While the total number of beds is lower, ICE is also working to reduce the average time an individual spends in a family residential center. The decrease in time should allow the Department of Homeland Security (DHS) to follow applicable court decisions and ensure bed space is commensurate with apprehension rates. The funding from FY 2015 will be used to fund the current requirements, which are expected to be close to the budgeted number of families, and ICE has worked to execute the funds by the end of the fiscal year. Since both Dilley and Berks are also fixed price contracts, ICE does not expect that there will be unobligated carryover from FY 2015 that can be rescinded or used for other purposes. Furthermore, as a result of the lower than expected apprehensions, Congress approved the request to reprogram \$113 million in available funds from ICE to the Department in support of other mission priorities.

### Hiring Challenges

**Question:** Beginning in FY13, ICE under executed personnel by almost 2,000 positions each year. In fact, based on the most current information, ICE is 2,351 positions below what was appropriated in the recent FY15 bill. Why does your budget continue to request funds for more personnel than you actually have on the books...I note that this is not a new issue but dates back to FY13...each year requesting funding for over 2,000 people who have never been on the payroll? What is happening to the funds that we have appropriated for personnel? Can you hire the number of personnel funded in FY15 and then grow even more in FY16? Based on the most current staffing levels, you have only brought on 165 personnel since the start of the fiscal year. Does this number even cover the losses due to attrition? What are the causes of the discrepancies between your budget request and actual hiring levels? Does the current hiring process need to be changed? How? Don't these hiring shortages adversely impact law enforcement operations?

**ANSWER:** Law enforcement agents and officers are the biggest asset for the agency and a majority of the U.S. Immigration and Customs Enforcement (ICE) workforce, which makes

hiring one of our top priorities. Over the past few years, budget uncertainties led to a conservative hiring effort by the agency. This, combined with a lengthy hiring process for law enforcement personnel (an average of 12 months), has resulted in numerous vacancies.

The hiring process for law enforcement includes a medical evaluation, fitness and drug testing, and an oral board prior to entrance on duty (EOD). Additionally, due to the sensitivity of the work performed by ICE, all law enforcement personnel must have a fully adjudicated background investigation prior to EOD. Although lengthy, the hiring process has been refined to maximize all potential efficiencies and is continuously evaluated. In FY 2015, these efficiencies included arranging for additional medical personnel, making multiple selections from one certificate, and working with the programs to make selections in an expeditious manner.

As of the hearing date in April 2015, ICE on-boarded 266 new additions to the agency. Unfortunately, the agency noted a net loss of 231 personnel as of the date of the hearing. Going into FY 2016, the agency will continue to push hiring as its top most priority and backfill positions as they become vacant during the fiscal year.

Due to the aforementioned reasons, Congress approved the request to reprogram \$15 million in personnel funds from ICE to other Department operations.

### **ICE Reports**

**Question:** In the FY15 conference agreement, the conferees directed ICE to provide quarterly reports on investigative and enforcement operations. All the data in these reports is factual, it is not classified, and it helps us understand the critical role ICE plays in enforcing immigration laws and protecting public safety. Withholding them without explanation is completely inappropriate. Why is ICE not providing these reports? Do you plan to get them to us? When?

**ANSWER:** U.S. Immigration and Customs Enforcement (ICE) is aware of the requirement, as outlined in the FY 2015 conference agreement, to provide quarterly reports on investigative and enforcement operations, and we fully intend to satisfy this request. Since the Department's appropriation bill was passed in early March, we worked to collect, consolidate, and format that data in a manner that will be consistent with the committee's request. ICE currently provides the data monthly to the committee.

### **Visa Security Program**

**Question:** Congress increased funding for the Visa Security Program in FY15 to expand the program to additional high-threat countries beyond the 20 overseas posts at which ICE agents are currently deployed. However, the FY16 budget proposes to cut this program and reduce funding below even FY14 levels. What is the rationale for the decrease? Is ICE actively working to expand the Visa Security Program to additional posts in FY15? Will ICE be able to execute all of the funds provided in FY15 for the program? Given the significant reduction proposed in the FY16 budget, if ICE expands to additional posts in FY15, will you be able to sustain these operations? Within the increased funding provided in FY15 for the Visa Security Program was

\$3.5 million to support enhancements to PATRIOT, the information technology system used for visa vetting. Will ICE be able to use this funding to improve the PATRIOT system in FY15?

**ANSWER:** U.S. Immigration and Customs Enforcement (ICE) intends to expand the Visa Security Program (VSP) in FY 2015 and FY 2016 based on the increased funding in FY 2015. The VSP funds' two-year period of availability affords ICE, in coordination with the U.S. Department of State, the necessary time to establish and sustain additional foreign offices during this two year period (FY 2015 and FY 2016). In FY 2014 and FY 2015, ICE focused on ensuring the funds provided by Congress were used effectively and that the outcomes of the VSP significantly enhanced the security of the United States. The FY 2016 President's Budget includes a slight decrease in funding for non-operational general expenses. In addition, ICE, in partnership with U.S. Customs and Border Protection, conducts centralized initial visa vetting through the Pre-Adjudicated Threat Recognition Intelligence Operations Team (PATRIOT) system and the National Targeting Center. As a result of the initial vetting, high-threat visa applications are sent to ICE Special Agents at overseas posts who conduct thorough interviews and investigations in conjunction with interagency and host nation coordination as appropriate. As a result of the additional funding Congress provided in FY 2015, ICE will spend all funds provided by expanding the program to four additional foreign visa issuing posts which are identified on the current risk analysis but are not yet participating in VSP. In FY 2015, ICE will also fill corresponding analytical and programmatic positions that are needed to support current offices and the four FY 2015 expansion offices. These enhancements will allow for a more efficient and cost-effective domestic screening and management process through the PATRIOT system while enabling Special Agents at overseas posts to focus more specifically on high-threat applications.

#### **Unaccompanied Alien Children**

**Question:** Last year, DHS was wholly unprepared to deal with the 68,000 unaccompanied children who crossed the border illegally. Is the department, and ICE in particular, better organized to cope with a large migration, should it occur? Of the 58,000 children from countries other than Mexico who entered the United States illegally in FY14, how many were returned to their countries of origin, and how many were released to family members living in the United States? If the children ended up staying in the United States, do we know the legal status of the guardian who took custody of them? What was ICE's cost of transporting these children? How much money for UAC transportation costs is assumed in the FY16 request? How many children will these cost estimate cover?

**ANSWER:** Responding to humanitarian crises such as last year's unprecedented influx of unaccompanied children requires a coordinated approach across different governmental components. In particular, while Department of Homeland Security (DHS) entities often apprehend unaccompanied children who illegally enter the country, the responsibility for their care and custody primarily resides with the Department of Health and Human Services Office of Refugee Resettlement (ORR). Under the Homeland Security Act of 2002 (codified in pertinent part at 6 U.S.C. § 279(a)), ORR is responsible for making placement determinations for all unaccompanied children who are in federal custody because of their immigration status. Similarly, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008

(TVPR) provides that ORR is responsible for the care and custody of unaccompanied children. Except in exceptional circumstances, any department or agency of the Federal Government that has an unaccompanied child in custody must transfer the custody of such child to ORR within 72 hours of determining that the child is an unaccompanied child (8 U.S.C. § 1232(b)(3)). In short, ORR, not U.S. Immigration and Customs Enforcement (ICE), is strictly responsible for determining safe and suitable placement for unaccompanied children, which may require a home study.

Because the TVPRA was enacted in large part to promote the safe repatriation of unaccompanied children, it significantly limits returning children to their countries of origin unless they are from a country contiguous to the United States and able to demonstrate other eligibility criteria. All other unaccompanied children must be placed in immigration proceedings before an immigration judge, which can be a lengthy process given the procedural safeguards in such proceedings and the backlogged immigration court dockets. Of the 56,029 unaccompanied children that DHS referred to ORR in fiscal year (FY) 2014, 635 have been removed from the United States as of March 29, 2015. With regard to ORR's custody of unaccompanied children following their transfer from DHS or the specific terms of their placement, ICE defers to ORR.

ICE continues to dedicate resources, including front-line personnel, technology, and infrastructure, to securing the border. DHS has implemented the U.S. Southern Border and Approaches Campaign, which strategically coordinates DHS assets and personnel to enforce and interdict illegal entries and degrade transnational criminal organizations, without impeding the flow of lawful trade, travel, and commerce. In addition, ICE has also dedicated resources to the prosecution of the criminal smuggling organizations that encourage people to undertake the long, dangerous journey from Central America. ICE has also increased coordination and engagements with foreign governments in the region. The Department of Homeland Security in collaboration with the Department of State launched a renewed, aggressive public messaging campaign in Central America to highlight the dangers of the journey and correct misinformation.

With regard to the cost of transportation, in FY 2014, ICE spent \$35.8 million to transport unaccompanied children to ORR custody. The FY 2016 President's Budget request includes funding to transport potentially up to 104,000 unaccompanied children to ORR custody—\$37.6 million in base funding for ICE's portion to transport up to 58,000 unaccompanied children and an additional \$27.6 million of contingency funding triggered in increments of \$6.9 million to transport additional unaccompanied children if necessary since ICE conducts the long-haul transfers of unaccompanied children from DHS custody to ORR shelters around the country.

In late FY 2014, ICE awarded a contract to MVM Inc. for unaccompanied children transportation services solely for the purposes of transporting unaccompanied children domestically to ORR-designated shelters. This is a nationwide contract that currently targets apprehensions originating in the Rio Grande Valley. The President's 2016 request would continue funding this effort.

On February 16, 2015, the contractor began unarmed escorts of unaccompanied children apprehended in south Texas who are designated for transfer to ORR non-secure shelters, allowing many ICE Enforcement and Removal Operations (ERO) officers to return to law

enforcement operations. Unaccompanied children who are referred to secure ORR detention facilities continue to be escorted by ERO officers. Additionally, this contract allows ICE to use specially trained contractor staff with knowledge and experience in child and adolescent development to accomplish this task. Many of MVM's employees have backgrounds in social work, education, and youth counseling. Over the long term, ICE anticipates the contractor will move more unaccompanied children with fewer staff on a per-trip basis, which may result in savings for the government.

Funding in the amount of \$20.3 million was obligated toward this contract at the start of FY 2015. As of September 22, 2015, MVM has transported 6,903 UAC. Contract funding includes MVM's personnel expenses as well as travel costs associated with each movement. Because the majority of all escorts utilize existing commercial carriers, ICE anticipates any differences in transport costs will be negligible. The majority of any cost increases would include MVM's personnel-related expenses. By utilizing contractors to escort unaccompanied children, ICE ERO officers can focus on core law enforcement duties. We anticipate that overall overtime expenses will be reduced.

**Question:** Last year, we learned that some circumstances required two Enforcement Removal Officers (EROs) to accompany UAC back to their respective countries or to parents/guardians living in the United States, effectively taking a law enforcement officer off the job. To mitigate this result, ICE planned to hire contractors to accompany the children. Has this contract been awarded? What are the costs of the contract versus the costs of having EROs accompany the children? How many children have been accompanied by contractors back to their home countries or to suitable homes in the United States? Have all the children accompanied by contractors reached their destination safely?

**ANSWER:** ICE ERO officers are required to conduct unaccompanied children repatriations to home countries. However, in late FY 2014, ICE awarded a contract to MVM Inc. for the domestic transportation of unaccompanied children to Department of Health and Human Services, ORR-designated shelters within the United States. On February 16, 2015, the contractor began unarmed escorts of unaccompanied children apprehended in the Rio Grande Valley who are designated for transfer to ORR non-secure shelters, allowing many ERO officers to return to law enforcement operations.

MVM is required to abide by all relevant ICE policies and the ICE Family Residential Standards (FRS) when transporting unaccompanied children. The FRS includes guidelines for interactions with children. Since the start of operations, ERO has closely monitored MVM including through having a staff person embedded in their coordination center. As of April 24, 2015, MVM has safely and timely transported 1,369 unaccompanied children to their ORR-designated facilities. MVM personnel do not transport unaccompanied children outside of the United States. As of September 23, 2015 ICE has received no complaints concerning MVM's transportation of unaccompanied children.

Funding in the amount of \$20.3 million has been obligated toward this contract through FY 2015. Contract funding includes MVM's personnel expenses, as well as travel costs associated with each movement. As noted above, since the majority of all escorts occur utilizing existing

commercial carriers, ICE anticipates any differences in transport costs between base operations using ERO officers versus MVM staff will be negligible. The majority of any cost increases would include MVM's personnel-related expenses. By utilizing contractors to escort unaccompanied children, ICE ERO officers will be able to focus on core law enforcement duties. We anticipate that overall overtime expenses will be reduced. Many of MVM's employees have backgrounds in social work, education, and youth counseling. Over the long term, ICE anticipates the contractor will move more unaccompanied children with fewer staff on a per trip basis, which may result in a savings to the government.

### **Budget Increase for Legal Proceedings**

**Question:** The Office of Principal Legal Advisor (OPLA) coordinates the immigration docket with U.S. Citizenship and Immigration Services (USCIS) and DOJ's Executive Office for Immigration Review (EOIR). The FY16 request increases OPLA by \$30.7 million, an increase of 197 attorneys. According to the most recent budget execution report, however, OPLA is substantially under-executing funds. Of the \$217 million provided in FY15, only \$65 million has been expended. First, how many FTE attorney positions are funded in FY15? How many of these FTE have been brought on board? Why is OPLA executing its appropriations so slowly? What is the average time to hire and bring on board an attorney? Do you believe you'll be able to execute the full funding for OPLA prior to the end of the fiscal year?

**ANSWER:** During the Continuing Resolution in the first half of the fiscal year (FY), the Office of the Principal Legal Advisor (OPLA) was conservative in its FY 2015 execution, including in its hiring actions. Since receiving the full-year appropriation, OPLA is now executing funding at rates that are consistent with the program's overall funding authority: as of September 16, 2015, OPLA's estimated execution percentage is 96.1 percent (excluding service-wide and set-aside expenses not controlled by OPLA). Based on the FY 2015 enacted appropriation, OPLA has also significantly ramped up its hiring actions to fill 72 vacant attorney positions, of which 66 have been brought on board and 6 are currently in the hiring process. Currently, OPLA requires an average of 140 days from announcement to fill an attorney vacancy.

**Question:** According to ICE's budget justification, the 197 new attorneys "will help manage the EOIR docket, and increase the number of immigration cases handled, while improving the percentage of completed cases versus initiated cases commensurate with docket size and makeup." This is a very important goal. How many additional immigration cases will be handled? By what percentage will completed cases be increased?

**ANSWER:** According to the recently released Executive Office for Immigration Review (EOIR) FY 2014 Statistics Yearbook, immigration courts completed 248,078 matters during FY 2014. Using this statistic as a baseline, ICE field line attorneys that litigate cases in immigration court completed approximately 420 matters per attorney, which does not include the multitude of other court-related issues and administrative actions that ICE attorneys handle on a daily basis. Based on this statistical data, an additional 197 attorneys would allow ICE the projected ability to handle approximately an additional 82,740 immigration court cases and matters. The addition of these ICE personnel could potentially increase the resolution of immigration court

matters by approximately 33 percent. However, these potential outcomes are also significantly dependent on the number of EOIR judges and varying circumstances from court-to-court and case-to-case.

### **Tactical Communications (TACCOM) Modernization**

**Question:** The FY16 budget requests \$18.5 million for tactical communications modernization. The majority of this funding is being used towards TACCOM systems and infrastructure in the San Francisco Region. The \$14.2 million requested in the budget only partially funds the modernization effort in a single region. What is the total cost of TACCOM modernization in San Francisco? What are ICE's plans to continue modernization efforts in other regions? What is the timeline? What are the total costs? Why was San Francisco chosen?

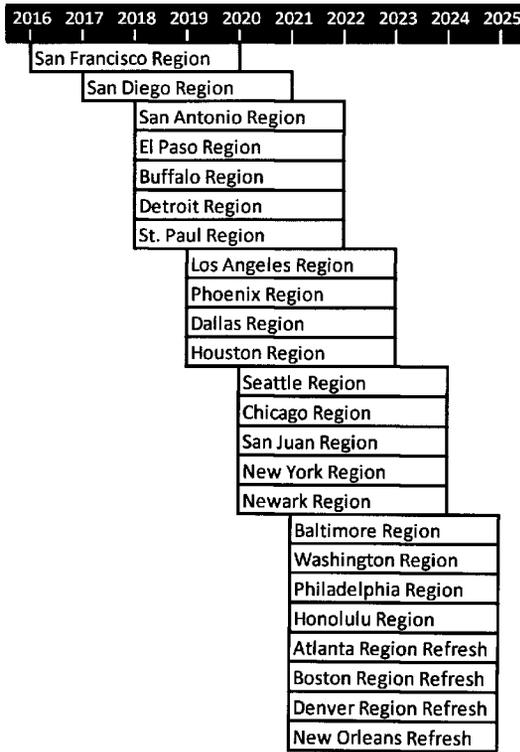
**ANSWER:** The total cost to modernize San Francisco's TACCOM capabilities in fiscal year (FY) 2016 is \$15.825 million. An additional \$2.675 million will be used for Core Hub Upgrades/Mobility Services, which will improve communication interoperability, redundancy, and information sharing between U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection.

The funding will replace equipment that has reached end of life and is no longer manufactured, and will expand coverage to meet currently known operational requirements. Tactical communications supports almost every ICE investigative and enforcement function, and enhances ICE and the Department of Homeland Security mission operations by providing mission-critical tactical communications support to agents and officers in the field. The FY 2016 funding will support law enforcement officers' mission-critical frontline requirements for portable radios, mobile radios, infrastructure, communications coverage, security, and interoperability.

San Francisco was designated as the highest priority for modernization by the ICE operators due to two factors: (1) a lack of any ICE tactical communication network coverage in the San Francisco area of responsibility except inside the San Francisco International Airport; and (2) an increase in the number of agents and officers working in the field who are performing law enforcement actions that require radio communications for officer safety.

ICE plans to continue modernization in all other regions nationwide. The table below shows the current timeline, based on the availability of funding. The total cost for TACCOM modernization is estimated to be \$488 million between FY 2016 – FY 2021, with execution ending in FY 2025.

Current TACCOM Modernization Timeline



QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE John Culberson**

**Director Sarah Saldaña**  
**U.S. Immigration and Customs Enforcement**  
 Committee on Appropriations  
 Subcommittee on Homeland Security  
*FY 2016 Budget Request*  
 April 15, 2015

**ICE Detention Beds**

**Question:** As of the beginning of April, the daily average of the detainee population was around 26,000. Is it your stance that the following language does not mandate you maintain a detainee population of 34,000?

*“Provided further, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2015”*

**ANSWER:** U.S. Immigration and Customs Enforcement (ICE) has negotiated multiple detention contracts that ensure 34,000 detention beds are available for use during the fiscal year. At a given point in time, all available beds may not be filled and the daily population may be less than 34,000. Similarly, the negotiated contracts allow for the detention of more than 34,000 if necessary.

**Criminal Releases**

**Question:** It has been reported that 30,558 aliens with criminal convictions were released in Fiscal Year 2014. Please provide a detailed breakdown outlining the convictions of the aliens released, where they were released from, and how long they spent in detention.

**ANSWER:** The following table provides a breakdown of the types of criminal convictions associated with the 30,558 criminal aliens placed in a non-custodial setting in FY 2014.

Please note that an alien may have more than one criminal conviction. As such, the total number of criminal convictions is greater than the total number of criminal aliens released from ICE custody.

**Breakdown of the Types of Specific Criminal Convictions Associated with  
Criminal Aliens Placed in a Non-Custodial Setting in FY 2014**

<b>Conviction Category</b>	<b>Number of Convictions</b>
Traffic Offenses—Traffic Offense	17,831
Traffic Offenses—Driving Under Influence Liquor	14,938
Dangerous Drugs	10,403
Larceny	5,501
Immigration <sup>1</sup>	4,545
Obstructing Judiciary, Congress, Legislature, Etc.	3,692
General Crimes <sup>2</sup>	3,008
Burglary	2,892
Public Peace	2,709
Assault	2,689
Fraudulent Activities	2,575
Obstructing the Police	2,077
Weapon Offenses	1,874
Assault—Domestic Violence	1,496
Invasion of Privacy	1,415
Stolen Vehicle	1,362
Assault—Battery	1,335
Forgery	1,243
Stolen Property	1,235
Assault—Aggravated Assault	1,160
Family Offenses	1,105
Robbery	895
Sex Offenses (Not Involving Assault or Commercialized Sex)	800
Damage Property	758
Traffic Offenses—Hit and Run	717
Commercialized Sexual Offenses	506
Liquor	488
Sexual Assault	473
Health/Safety	440
Traffic Offenses—Driving Under Influence Drugs	418

<sup>1</sup> Immigration crimes include “illegal entry,” “illegal reentry,” “false claim to U.S. citizenship,” and “alien smuggling.”

<sup>2</sup> “General Crimes” is a National Crime Information Center charge category. Within the category of “General Crimes” are the following offense codes: crimes against person (7099), property crimes (7199), morals-decency crimes (7299), and public order crimes (7399).

<b>Conviction Category</b>	<b>Number of Convictions</b>
Assault—Simple Assault	315
Flight/Escape	275
Kidnapping	215
Threat	165
Assault—Intimidation	160
Homicide	101
Arson	70
Conservation	56
Juvenile Offenders	48
Tax Revenue	48
Extortion	46
Gambling	41
Homicide—Negligent Manslaughter—Vehicle	40
Smuggling	39
Embezzlement	27
Obscenity	22
Bribery	19
Homicide—Negligent Manslaughter—Weapon	18
Homicide—Willful Kill—Gun	16
Voluntary—Manslaughter	15
Homicide—Willful Kill—Weapon	10
Homicide—Willful Kill—Non-family—Gun	9
Traffic Offenses—Transporting Dangerous Material	4
Homicide—Willful Kill—Family—Gun	3
Homicide—Willful Kill—Family—Weapon	2
Homicide—Willful Kill—Non-Family—Weapon	2
Sovereignty	1
<b>Grand Total</b>	<b>92,347</b>

<b>Location of Detention Facility Tied to Latest Release</b>	<b>Unique Alien(s)</b>
Alabama	193
Alaska	3
Arizona	1,797
Arkansas	17
California	6,304
Colorado	1,072
Connecticut	42
Delaware	8
Florida	1,721
Georgia	1,468
Guam	10
Hawaii	45
Idaho	49
Illinois	933
Indiana	236
Iowa	154
Kansas	130
Kentucky	448
Louisiana	857
Maine	3
Maryland	456
Massachusetts	466
Michigan	280
Minnesota	480
Mississippi	0
Missouri	234
Montana	3
Nebraska	326
Nevada	347
New Hampshire	89
New Jersey	1,340
New Mexico	90
New York	1,172
North Carolina	168
North Dakota	13
Ohio	395
Oklahoma	216

<b>Location of Detention Facility Tied to Latest Release</b>	<b>Unique Alien(s)</b>
Oregon	142
Pennsylvania	660
Puerto Rico	30
Rhode Island	0
South Carolina	112
South Dakota	46
Tennessee	78
Texas	5,146
Utah	298
Vermont	5
Virginia	1,300
Virgin Islands	1
Washington	1,079
West Virginia	2
Wisconsin	91
Wyoming	3
<b>Grand Total</b>	<b>30,558</b>

<b>Length of Stay in ICE Detention</b>	<b>Unique Alien(s)</b>
0-29 days	18,150
30-59 days	4,845
60-89 days	2,123
90-119 days	1,428
120-149 days	704
150-179 days	458
180+ days	2,850
<b>Grand Total</b>	<b>30,558</b>

**Question:** The President's budget request asks for increased funding to 34,040 detention beds. That 34,040 request includes 2,760 family beds. Is this a sufficient amount to ensure that ICE will not have to voluntarily release any criminal aliens for FY16? If that cannot be guaranteed, what is the number of detention beds needed to ensure there will not be any aliens with criminal convictions released?

**ANSWER:** ICE exercises its detention and release authorities in accordance with the Immigration and Nationality Act and controlling regulations, including precedential court

decisions. To meet operational needs, the fiscal year 2016 budget requests funding for 34,040 detention beds - 31,280 adult beds and 2,760 family beds. This level of beds will allow ICE to detain the current mandatory population, as well as aliens who present a risk to public safety.

ICE will ensure the most cost-effective use of our appropriated funding by focusing detention capabilities on priority aliens, while placing lower-risk individuals in non-custodial settings subject to appropriate release conditions, including potential enrollment in alternatives to detention programs.

**QUESTIONS FOR THE RECORD SUBMITTED BY  
THE HONORABLE LUCILLE ROYBAL-ALLARD**

**Sarah Saldaña, Director, U.S. Immigration and Customs  
Enforcement**  
Committee on Appropriations  
Subcommittee on Homeland Security  
FY 2016 U.S. Immigration and Customs Enforcement Budget Request  
April 15, 2015

**Family Detention**

**Question:** What is the total number of individuals in family units apprehended between January 1, 2015, and March 31, 2015, delineated by adult individuals and minors?

**ANSWER:**

**U.S. Border Patrol Nationwide Family Unit Subject Apprehensions**

January 1, 2015 through March 21, 2015

Family Members		
Accompanied Children	Adults	Total
2,912	2,454	5,366

**Question:** Of the total, how many adult individuals were detained; placed in Alternatives to Detention; released on bond or paroled; or placed in Expedited Removal?

**ANSWER:** Of the 565 adults booked into a FRC in the second quarter (Q2) of FY 2015, 356 were released on bond, 15 were paroled, and 143 were placed into Expedited Removal proceedings, as of April 20, 2015. Nine individuals booked into an FRC during Q2 FY2015 were subsequently enrolled into the Alternatives to Detention (ATD) program, and as of April 30, 2015, 8 were active and 1 inactive. Please note that ATD enrollees are not exclusive from individuals represented in the bond/parole/Expedited Removal categories.

Of the remaining 51 adults booked into a FRC, 34 are not being processed as an Expedited Removal and remain in ICE custody<sup>3</sup>, 10 have been removed, and 7 have been released onto other forms of supervision, including an Order of Supervision or an Order of Recognizance.

<sup>3</sup> As of April 25, 2015, 31 of the 34 individuals had Reinstated Final Orders, while the other three individuals were considered Excludable and Inadmissible under an adjunction by an Immigration Judge.

### Adult Book-Ins in ICE Family Residential Centers in FY2015 Q2

Disposition	# of Initial Intakes
Released on Bond	356
Released on Parole	15
Expedited Removal	143
Other	51
Still in Custody	34
Removed	10
Released (Order of Supervision or Order of Recognizance)	7
<b>Total</b>	<b>565</b>

\*Family Residential Center (FRC) Intake Data as of 4/25/2014 (IIDS v1.1.16 run date as of 4/27/2014; EID as of 4/25/2014).

\*Release Reason Data as of 4/18/2014 (IIDS v1.1.16 run date as of 4/20/2014; EID as of 4/18/2014).

\*FRC Intakes are defined as aliens booked into one of the following facilities: Artesia Family Residential Center, Berks Country Family Shelter, Karnes County Civil Detention Facility, Karnes County Residential Center, and South Texas Family Residential Center.

\*Karnes County Civil Detention Facility was operationally used as a family facility starting on August 1, 2014.

\*Adult status is determined by age; adults are 18 years old and over.

\*Age is defined as the difference between initial book-in into a FRC and birth date.

\*An individual may have multiple detention stays in an FRC within the specified time period and all initial intakes are reported here.

\*Detention data excludes Office of Refugee Resettlement and Mexican Interior Repatriation Program facilities as well as U.S. Marshals Service prisoners.

\*Birth dates used for age calculation are those which the alien claims at the time of the encounter or from the alien person record if encounter data are unavailable. As additional information is discovered/verified and updated in ICE databases, the individual's information is updated accordingly but is not reflected in the original encounter data.

\*Individuals may be classified in two of the provided dispositions. Priority was given to the following hierarchy as requested: Bond, Paroled, Expedited Removal, and Other.

\*Released on Bond is defined as an individual with a release reason of 'Bonded Out,' 'Bonded Out - lack of funds,' and 'Bonded out - lack of space.' Released on Parole is defined as an individual with a release reason of 'Parole,' 'Parole - lack of funds,' and 'Parole - lack of space'.

\*Individuals identified as Expedited Removal are those not 'Released on Bond' or 'Released on Parole' who also had a case category of 8F, 8G, or 8H. This includes individuals still in custody and released onto other forms of supervision including an Order of Supervision and an Order of Recognizance.

\*"Other" includes individuals still detained in ICE custody, removed, and those released onto other forms of supervision including an Order of Supervision and an Order of Recognizance that are not included in the above categories including Expedited Removals.

**Question:** Of the total detained, how many adult individuals requested a Credible Fear/Reasonable Fear interview; how many received a positive Credible Fear/Reasonable Fear determination; how many received a negative Credible Fear/Reasonable Fear determination that was subsequently reversed by an immigration judge; and how many were placed into Expedited Removal without requesting a Credible Fear/Reasonable Fear interview? Please delineate the response data by Credible Fear and Reasonable Fear.

**ANSWER:** Between January 1, 2015 and March 31, 2015, 565 adults in family units were booked into a ICE Family Residential Center. The chart below delineates the number of adults who were referred to U.S. Citizenship and Immigration Services for a credible fear or reasonable fear interview after claiming fear of return to their home country and the determinations made as of April 25, 2015. ICE defers to the EOIR for the number of negative credible fear/reasonable fear determinations that were subsequently reversed by an immigration judge.

**Adult Book-ins Into an ICE Family Residential Center in FY2015 Q2**

Disposition	# Initial Intakes
<b>Credible Fear Interview Requested</b>	<b>460</b>
Positive Fear Determination	414
Negative Fear Determination	22
Credible Fear Case Closed	22
Fear Determination Pending	2
<b>Reasonable Fear Interview Requested</b>	<b>24</b>
Positive Fear Determination	17
Negative Fear Determination	5
Reasonable Fear Case Closed	2
Fear Determination Pending	0
<b>Expedited Removal (w/o claiming fear)</b>	<b>52</b>
<b>Other</b>	<b>29</b>
<b>Total</b>	<b>565</b>

**NOTES:**

- FRC Intake data as of 4/25/2014 (IIDS v1.1.16 run date as of 4/27/2014; EID as of 4/25/2014).
- Credible Fear or Reasonable Fear data, as provided by USCIS, includes data through April 10, 2015.
- FRC Intakes are defined as aliens booked into one of the following facilities: Artesia Family Residential Center, Berks Country Family Shelter, Karnes County Civil Detention Facility, Karnes County Residential Center, and South Texas Family Residential Center.
- Adult status is determined by age, adults are 18 years old and over.
- Age is defined as the difference between initial book-in into a FRC and birth date.
- An individual may have multiple detention stays in an FRC within the specified time period and all initial intakes are reported here.
- Detention data Excludes Office of Refugee Resettlement and Mexican Interior Repatriation Program facilities, as well as U.S. Marshals Service Prisoners.
- Birth dates used for age calculation are those which the alien claims at the time of the encounter; or from the alien person record if encounter data are unavailable. As additional information is discovered/verified and updated in ICE databases, the individual's information is updated accordingly, but is not reflected in the original encounter data.
- Credible/Reasonable Fear Case closed indicates that the case was closed prior to a fear determination by USCIS
- Book-ins identified as Expedited Removals are those without a Credible/Reasonable Fear case with a corresponding EARM case category. This includes some individuals still in custody.
- "Other" includes Reinstated Final Orders and Notices to Appear under adjudication by EOIR.

**Question:** Of the detained adult individuals given a positive Credible Fear/Reasonable Fear determination during the period, including those with an initial negative Credible

Fear/Reasonable Fear determination that was subsequently reversed, how many were released on parole, how many were given a bond determination; how many were offered bond by ICE and, of those, how many were successful in getting a redetermination for a lower bond amount from an immigration judge; of those not paroled or offered bond by ICE, how many were successful in getting a redetermination from an immigration judge allowing bond; what was the average and median amount for bond by month; and how many were actually released on bond? Please delineate the response data by Credible Fear and Reasonable Fear.

**ANSWER:** Of the 223 adult aliens whom USCIS initially gave a positive credible/reasonable fear determination, 190 adults were released as of April 18, 2015 in second quarter of FY 2015. The chart below delineates the release reasons for those 190 individuals. (ICE defers to EOIR for the number of individuals who had an initial negative credible fear/reasonable fear determination subsequently reversed and whose custody status was re-determined. Since October 2014, ICE bonds have ranged from \$1,500 to \$15,000 at its FRCs. ICE additionally defers to EOIR on bond redetermination amounts.

<b>FY 2015 Q2 FRC Adult Book-Ins With Established Credible/Reasonable Fear who have been Released</b>			
<b>Release Reason</b>	<b>Credible Fear Found by USCIS</b>	<b>Reasonable Fear Found by USCIS</b>	<b>Total</b>
<b>Total</b>	<b>190</b>	<b>0</b>	<b>190</b>
Released on Bond	176	0	176
Bond Offered by the Agency	54	0	54
Bond Offered by an Immigration Judge	122	0	122
Other Release Reasons	14	0	14

- FRC Book-In Data as of 4/27/2014 (IIDS v1.1.16 run date as of 4/29/2014; EID as of 4/27/2014).
- Release Data as of 4/18/2014 (IIDS v1.1.16 run date as of 4/20/2014; EID as of 4/18/2014).
- Credible Fear or Reasonable Fear data, as provided by USCIS, includes data through February 2015.

- FRC Intakes are defined as aliens booked into one of the following facilities: Artesia Family Residential Center, Berks Country Family Shelter, Karnes County Civil Detention Facility, Karnes County Residential Center, and South Texas Family Residential Center.
- Adult status is determined by age, adults are 18 years old and over.
- Age is defined as the difference between the date of initial book-in into a FRC and birth date.
- Birth dates used for age calculation are those which the alien claims at the time of the encounter; or from the alien person record if encounter data are unavailable. As additional information is discovered/verified and updated in ICE databases, the individual's information is updated accordingly, but is not reflected in the original encounter data.
- An individual may have multiple detention stays in an FRC within the specified time period and all releases are reported here.
- Detention data excludes Office of Refugee Resettlement and Mexican Interior Repatriation Program facilities, as well as U.S. Marshals Service Prisoners.
- Aliens may have multiple bond-related custody decisions. The custody jurisdiction of the most recent custody decision defines if the alien was offered bond by the agency or an immigration judge.
- Bonds granted by the Agency are those having a custody jurisdiction of field office or HQ custody determination. Bonds granted by an immigration judge are those having a custody jurisdiction of immigration judge, Board of Immigration Appeals, Circuit Court, District Court, or Supreme Court.
- "Other Release Reasons" include book-ins with release reasons of Order of Recognizance and Order of Supervision.

THURSDAY, APRIL 23, 2015.

**CUSTOMS AND BORDER PROTECTION**

**WITNESS**

**HON. R. GIL KERLIKOWSKE, COMMISSIONER, CUSTOMS AND BORDER PROTECTION**

Mr. CARTER. This hearing is called to order.

Good morning, everybody. I want to thank you for coming out early this morning. Today, we welcome Gil Kerlikowske in his second appearance before the subcommittee.

Commissioner Kerlikowske, welcome. We appreciate you being here, and thank you for your willingness to serve DHS and our country.

The fiscal year 2016 budget for Customs and Border Protection is \$13.4 billion, an increase of \$803 million above fiscal year 2015. This is the most substantial component increase in the DHS budget, which funds vital national security missions. It is a good budget. However, we are under very tight budget constraints and must discuss prioritizing CBP's request.

Your budget request also assumes the addition of 2,000 additional CBP officers from fiscal year 2014. However, CBP is having a fairly difficult time bringing on board the majority of these officers. Currently, only 700 have been hired, leaving over 1,200 to be brought on this fiscal year. You understand the important national security role that CBP officers will fill. We can't afford to delay their hiring, nor can we afford to let funds expire.

Similarly, the Border Patrol has 852 agents below the mandated 21,370 agents. This leaves the subcommittee concerned that CBP isn't able to sustain the existing workforce, let alone the mandated floor levels of agents. These are urgent problems that we have to fix.

The request also includes a contingency of \$79 million for a potential surge of unaccompanied children. While we understand the numbers are lower than last year—and we thank God for that—we look forward to hearing your update on the current estimate of UACs.

The request also includes numerous other increases, including \$85 million for nonintrusive detection equipment, \$44 million for new fencing in Arizona, \$79 million for facilities sustainment, and \$29 million of electronic visa information system updates.

As many of you are aware, our top line numbers were announced yesterday, which will make funding these and many other requested increases very difficult. I look forward to working with you over the next several weeks to prioritize funding to the most needed programs.

Lastly, Commissioner, sovereign nations control and manage their borders and sustain the integrity of their immigration systems. These objectives are your duty, and I expect nothing less from you and from the men and women that work with you in CBP.

Now let's turn to Ms. Roybal-Allard, our distinguished ranking member, for any remarks she may wish to make.

[The information follows:]



## **Chairman John Carter**

*Subcommittee on Homeland Security  
House Committee on Appropriations*

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### **FY 2016 Budget Hearing - U.S. Customs and Border Protection April 23, 2015 Opening Statement As Prepared**

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Today we welcome Gil Kerlikowske, in his second appearance before our Subcommittee. Commissioner Kerlikowske, welcome...we appreciate you being here and thank you for your willingness to serve DHS and our Nation.

The fiscal year 2016 budget for Customs and Border Protection is \$13.4 billion, an increase of \$803 million above fiscal year 2015. This is the most substantial component increase in the DHS budget, which funds vital national security missions. It is a good budget, however we are under tight budget constraints and must discuss prioritizing CBP's request.

Your budget request also assumes the addition of 2,000 additional CBP Officers from fiscal year 2014. However, CBP is having a difficult time on-boarding the majority of these officers. Currently, only 700 have been hired, leaving over 1,200 to be brought on within this fiscal year. You understand the important national security role these CBP Officer will fill. We can't afford to delay their hiring nor can we afford to let the funds expire.

Similarly, the Border Patrol is 852 agents below the mandated 21,370 agents. This leaves the Subcommittee concerned that CBP isn't able to sustain the existing work force, let alone the mandated floor level of agents. These are urgent problems which must be fixed.

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Lastly, Commissioner, sovereign nations control and manage their borders and sustain the integrity of their immigration systems. These objectives are your duty and I expect nothing less from you, and from the men and women of CBP.

Now, let me turn to our Distinguished Ranking Member for any remarks she wishes to make.

#####

Ms. ROYBAL-ALLARD. Thank you, Mr. Chairman.

And welcome, Commissioner, to our subcommittee.

The discretionary budget request for U.S. Customs and Border Protection in fiscal year 2016 is \$11.5 billion, an increase of \$685.5 million above the fiscal year 2015 level. That is approximately 40 percent of the total discretionary increase proposed for the Department as a whole, and the lion's share of CBP's proposed increase is for the rising costs of personnel.

Salaries and benefits, in fact, make up 70 percent of CBP's total budget request compared to just over half the budget just 7 years ago. This trend is concerning because it makes it more difficult for you to invest in the kinds of technologies on which border security increasingly depends.

On the other hand, CBP has, for a variety of reasons, struggled in hiring new agents and officers, including the 2,000 new CBP officers funded in the fiscal year 2014 bill. As a result, the numbers of Border Patrol agents and CBP officers are significantly below the required levels.

It is also worth noting that a significant portion of CBP operations rely on user fees that have not been adjusted in many cases for more than a decade. Without fee level adjustments to account for rising costs, there is a growing gap between fee collections and the operations they support, which puts an even greater burden on discretionary funding.

I would also like to highlight that in recent years, the Department has embraced the concept of risk management. While we can't eliminate risk, we can be strategic about identifying risk and targeting resources accordingly. That approach is certainly inherent in the impressive work of CBP's National Targeting Center, which I visited a few weeks ago. I hope we can help CBP continue to improve on the good work already being done there.

CBP also continues to make progress in improving situational awareness at the border and in targeting better the use of technology, personnel, and other resources based on risk. In addition, the Secretary's Southern Border and Approaches Campaign is taking the Department's border security effort to a new strategic level, and CBP is, of course, a big factor in that equation.

But I think CBP and the Department still have a major challenge in communicating to Congress and the public what a secure border looks like, what your plan is for achieving it, and how long it will take. I feel certain that comprehensive immigration reform is in our future, hopefully our near future. But whenever it comes, it will be important to have a better consensus definition of what constitutes border security.

I also have some ongoing concerns about the use of force along the border, the treatment and care of unaccompanied children, and ethics and integrity oversight that I will want to discuss with you this morning.

So once again, I appreciate you joining us, and I look forward to a productive discussion.

[The information follows:]

**Congresswoman Lucille Roybal-Allard (CA-40), Ranking Member  
Subcommittee on Homeland Security, House Committee on Appropriations**

**Customs and Border Protection FY 2016 Budget Hearing  
Opening Statement as Prepared  
April 23, 2015**

Welcome, Commissioner, to our Subcommittee. The discretionary budget request for U.S. Customs and Border Protection in Fiscal Year 2016 is \$11.5 billion, an increase of \$685.5 million above the Fiscal Year 2015 level. That's approximately 40 percent of the total discretionary increase proposed for the Department as a whole, and the lion's share of CBP's proposed increase is for the rising costs of personnel.

Salaries and benefits, in fact, make up 70 percent of CBP's total budget request, compared to just over half the budget just seven years ago. This trend is concerning, because it makes it more difficult for you to invest in the kinds of technologies on which border security increasingly depends. On the other hand, CBP has, for a variety of reasons, struggled in hiring new agents and officers, including the 2,000 new CBP officers funded in the FY 14 bill. As a result, the numbers of Border Patrol Agents and CBP officers are significantly below the required levels.

It's also worth noting that a significant portion of CBP operations rely on user fees that have not been adjusted, in many cases, for more than a decade. Without fee level adjustments to account for rising costs, there is a growing gap between fee collections and the operations they support, which puts an even greater burden on discretionary funding.

I'd also like to highlight that in recent years, the Department has embraced the concept of risk management: while we can't eliminate risk, we can be strategic about identifying risk and targeting resources accordingly. That approach is certainly inherent in the impressive work of CBP's National Targeting Center, which I visited a few weeks ago. I hope we can help CBP continue to improve on the good work already being done there.

CBP also continues to make progress in improving situational awareness at the border, and in targeting better the use of technology, personnel, and other resources based on risk. In addition, the Secretary's Southern Border and Approaches Campaign is taking the Department's border security efforts to a new strategic level, and CBP is, of course, a big factor in that equation.

But I think CBP and the Department still have a major challenge in communicating to Congress and the public what a secure border looks like, what your plan is for achieving it, and how long it will take. I feel certain that comprehensive immigration reform is in our future – hopefully, our near future. But whenever it comes, it will be important to have a better consensus definition of what constitutes border security.

I also have some ongoing concerns about the use of force along the border, the treatment and care of unaccompanied children, and ethics and integrity oversight that I will want to discuss with you this morning.

Once again, I appreciate your joining us, and I look forward to a productive discussion.

Mr. CARTER. Thank you, Ms. Roybal-Allard.

All right. Mr. Kerlikowske, we will recognize you for 5 minutes to summarize the information that you have submitted to the committee, and then we will have a few questions.

OPENING STATEMENT: COMMISSIONER KERLIKOWSKE

Mr. KERLIKOWSKE. Thank you, Chairman Carter and Ranking Member Roybal-Allard and the members of the subcommittee. I want to thank the members of the committee for the passage of the spending bill for the remainder of this fiscal year. It enables us to do a better job to execute the full scope of the very broad mission we have, from providing the means to invest in needed border technology to the flexibility to care for unaccompanied children.

When I appeared last year, I had been Commissioner for about 2 weeks. I am thankful to be here a year later and to share some of the accomplishments that CBP has made and to highlight how the administration budget will help us move ahead.

I have been privileged in this last year to visit dozens of our land, air, and sea ports of entry, our Border Patrol stations, our forward-operating bases, and our air and marine units. I have listened carefully to frontline personnel. I have seen the challenges they face and how the resources that the committee has provided have really translated into a more efficient and effective workforce. And I have seen firsthand, most importantly, how committed our employees are to our mission, and I am proud to represent them at this table.

My first year was a combination of profound challenges. Within the first week of being sworn in, I was down in McAllen, Texas, to view firsthand the unprecedented number of unaccompanied children and families crossing the Southwest border, I think, as all of you have also. And I think since then I have made about 10 more trips to McAllen.

In addition to the response at the border, the CBP officers and the Border Patrol agents I saw demonstrated humanity and compassion to those kids. CBP and our partners then launched an awareness campaign in the three Central American countries about not only the dangers, but the fact that if you do arrive here that you will not be allowed to stay.

In the event of another surge, we are much better prepared now than we were then, and this budget provides additional resources for the safety of the children and the families in our care.

And then we responded not long after that to the Ebola crisis in West Africa. Working closely with the CDC Centers for Disease Control and Prevention, we set up processes to funnel travelers from the affected countries to five airports where they get enhanced public health screening.

During events such as these, we also have the everyday activities that the American people place their trust in us to keep them safe. We are, as I often remind our people, we are the guardians of the Nation's borders. As I stated a year ago, to ensure that trust we must instill the highest levels of transparency and accountability.

We have made progress in this by publishing a Use of Force Policy handbook, establishing a formal incident review process, and

transitioning our Internal Affairs special agents into criminal investigators. That increases our ability to investigate misconduct.

The President's budget builds on these accomplishments and provides \$13.4 billion to enhance CBP's efforts in the three areas. First, the budget enables us to advance our comprehensive border security operations, deploying technology, mobile video systems that many of you have seen, Department of Defense repurposed equipment, such as aerostats and thermal imaging. And the budget allows us to complete the infrastructure tactical investments that are needed on the Arizona border.

It enhances our capabilities for counterterrorism and transnational crime by assisting CBP in building that counternetwork capability, and it supports the Secretary's Southern Border and Approaches Campaign, which I know all of you are familiar with.

Lastly, the budget continued our efforts to enable lawful trade and travel, and we are grateful for that appropriation. As trade and travel increase and benefit the economy, we know we have to get the right people in, and we have to get them in safely. We have to get the right cargo in, and we have to move it expeditiously.

The budget provides funding for these critical investments in nonintrusive inspection devices and also to help improve travelers' experiences through these innovative business transformation initiative and the public-private partnership.

So thank you for having me today. I look forward to answering your questions, Mr. Chairman.

[The information follows:]

TESTIMONY OF

R. GIL KERLIKOWSKIE  
Commissioner

U.S. Customs and Border Protection  
Department of Homeland Security

BEFORE

House Appropriations Committee  
Subcommittee on Homeland Security

ON

“Fiscal Year 2016 Budget Request”

April 23, 2015  
Washington, DC

Chairman Carter, Ranking Member Roybal-Allard, Members of the Subcommittee, it is an honor to appear before you today, just over a year from when I was confirmed as the Commissioner of U.S. Customs and Border Protection (CBP). CBP protects the American public from acts of terrorism by constant vigilance at and between our Nation's ports of entry (POE). CBP also ensures travelers and goods move safely and efficiently across our borders; immigrants and visitors are properly documented; and customs, immigration, and trade laws, regulations, and agreements are enforced.

The border environment in which CBP works is dynamic and requires continual adaptation to respond to emerging threats and conditions. This past year was no different, and I am proud of CBP's dedicated men and women, who rose to meet these challenges with integrity and commitment.

Last spring and summer, CBP addressed the surge in border crossings of thousands of unaccompanied children (UC). CBP worked hand-in-hand with the Department of Homeland Security (DHS), including U.S. Immigration and Customs Enforcement, and the Department of Health and Human Services (HHS) to safely detain and transfer the children out of our custody consistent with mandates in the *William Wilberforce Trafficking Victims Protection Reauthorization Act* (P.L. 110-457). We also worked with the Department of State to create and disseminate the *Dangers of the Journey to Cross the Border* – an international unbranded public awareness campaign with the goal of dissuading potential undocumented migrants — particularly 12- to 17-year-olds from El Salvador, Guatemala, and Honduras — from embarking on the dangerous trek north to attempt to enter the U.S. illegally via Mexico.

Simultaneously, CBP responded to the 2014 Ebola epidemic that affected, and continues to affect, several West African countries. We quickly adapted our international travel security procedures to ensure the safety of the traveling public as well as our CBP officers. CBP worked closely with the Centers for Disease Control and Prevention (CDC) to implement enhanced screening processes, and redirected flights with connections from affected countries to five designated airports within the United States.

In dealing with these crises, and keeping pace with all of CBP's daily activities, the American people place enormous trust and confidence in CBP to keep them safe. To ensure this trust, the highest levels of transparency and accountability are required to uphold integrity of the workforce and the highest professional standards.

As part of our commitment to transparency, in May 2014, CBP publicly released the revised Use of Force Policy handbook and implemented a unified, formal review process for use of force incidents. CBP transitioned our own Internal Affairs Special Agents (formerly, GS-1801) into the Criminal Investigator series, GS-1811, in September 2014, providing CBP the authority to investigate its employees for alleged criminal misconduct. Additionally, CBP implemented a multi-phased proof of concept of body worn cameras, a potential tool in our efforts towards increased transparency and accountability, for use in each of CBP's operational environments along the U.S. border, at and between ports of entry, in the air and at sea.

Just as important, we made critical steps towards addressing employee morale across the agency in the past year. I filled key and overdue vacancies by selecting senior officials throughout CBP including the selections of the Deputy Commissioner and Assistant Commissioners for the Office of Field Operations, Office of International Trade, Office of Intelligence, and Office of Public Affairs. Additionally, we worked with Congress on compensation reform for our Border Patrol agents – a critical legislative change enabling CBP to guarantee agents equal pay for equal work. This reform not only allows for better budgetary and operational planning, but provides the men and women of the Border Patrol with greater certainty in their paychecks. I will continue to provide CBP's entire workforce with the leadership, tools, training, and support it needs to remain America's unified border security agency.

Today, I will discuss how CBP is using the resources provided by Congress efficiently and effectively, and demonstrate how the President's Fiscal Year (FY) 2016 Budget Request supports CBP's continued commitment to keeping terrorists and their weapons out of the United States, securing the border, and facilitating lawful international trade and travel. The FY 2016 Budget Request focuses resources on key capabilities in each of our mission areas. These include:

- Advancing Comprehensive Border Security and Management;
- Enhancing Capabilities to Counter Terrorism and Transnational Crime; and
- Enabling Lawful Trade and Travel.

CBP's frontline personnel work tirelessly to deter illicit trafficking in people, drugs, illegal weapons, and money, while facilitating legitimate travel and trade. CBP achieves its complex mission using a combination of personnel, advanced information, risk assessment, technology, and partnerships with Federal, state, local, tribal, territorial and international law enforcement agencies, as well as the private industry.

### **Advancing Comprehensive Border Security**

Along the over 5,000 miles of border with Canada, 1,900 miles of border with Mexico and approximately 95,000 miles of shoreline, CBP is responsible for preventing the illegal movement of people and contraband. CBP's Border Patrol and Air and Marine agents patrol our Nation's borders and associated airspace and maritime approaches to prevent illegal entry of people and goods into the United States. CBP officers (CBPOs) and agriculture specialists are multi-disciplined and perform the full range of inspection, intelligence analysis, examination, and law enforcement activities relating to the arrival and departure of persons, conveyances, and merchandise at air, land, and sea POEs.

#### *At Ports of Entry – Investments in Technology*

At POEs in FY 2014, CBPOs arrested 8,013 individuals wanted for serious crimes. CBPOs also stopped 223,712 inadmissible aliens from entering the United States through POEs, an increase of more than nine percent from FY 2013. Grounds for inadmissibility range from immigration violations, criminal violations, to national security concerns. Also protecting the economy and America's food and agricultural production and industry, CBP's agriculture specialists seized 1.6 million prohibited plant materials, meat, and animal byproducts, and intercepted thousands of

dangerous pests such as the khapra beetle, one of the world's most destructive pests of grain products and seeds.

Non-intrusive inspection (NII) technology, which includes large- and small-scale x-ray and gamma ray detection equipment, is a critical part of our multi-layered approach and enables CBPOs to screen or examine a larger portion of commercial traffic without disrupting the flow of legitimate trade, cargo and travelers by forgoing manual inspections. Since September 11, 2001, NII technology has been the cornerstone of the CBP multi-layered enforcement strategy. CBP is requesting an increase of \$85.3 million for its NII program to fund recapitalization of aging systems, which currently include 314 large-scale and 4,930 small-scale systems. Without this funding increase, maintenance costs will rise, systems will become obsolete, system downtime will rise, all impacting the effectiveness and cost of inspections due to the need for manual inspection, ultimately delaying the movement of legitimate trade and travel.

The Budget Request provides an increase of \$11.1 million for the Border Security Deployment Program (BSDP). BSDP increases situational awareness at land POEs (LPOEs) by providing CBP with a comprehensive and expanded secure operational environment through the deployment of an integrated surveillance and intrusion detection system at LPOEs on a 24x7 basis. BSDP improves the safety and security of CBP officers and the traveling public, and promotes officer integrity through court admissible video and audio recordings. BSDP serves as a force multiplier by allowing CBP officers and agents to focus their attention on the efficient flow of people and goods at the border.

#### *Response to Unaccompanied Children*

Unaccompanied Children ("UCs") began crossing the Southwestern border in the Rio Grande Valley Sector in unprecedented numbers in early 2014. The flow continued through the spring and into the summer of 2014. On May 14, 2014, the Secretary of Homeland Security declared a Level 4 emergency. The surge peaked in June, with over 10,000 UCs encountered by the Border Patrol. By the end of FY 2014, the Border Patrol had encountered 68,631 UCs and 68,684 family units; a dramatic increase compared to FY 2013 when the Border Patrol encountered a total of 38,833 unaccompanied children and 15,056 family units nationwide. This increase translated into longer stays in CBP custody while UCs awaited transfer by Immigration and Customs Enforcement (ICE) to HHS Office of Refugee Resettlement (ORR) facilities. The delays in transportation and placement required CBP to take additional measures to provide adequate care for the UCs. The Department of Defense (DOD) provided temporary holding facilities at Lackland Air Base (Texas); Fort Sill (Oklahoma), and Ventura, (California). CBP also re-opened the Nogales Processing Center (Nogales, Arizona) to provide space for the extended care of children. During the surge, UCs were relocated from the Rio Grande Valley (RGV) to Nogales via U.S. Coast Guard and contract charter flights.

The Budget Request provides baseline funding for the care and custody of 58,000 UCs and takes steps to better prepare the Department for a future influx of UCs through a contingency fund which will provide up to \$134.5 million<sup>1</sup> to provide the necessary support activities required to

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<sup>1</sup> Due to the low probability of such a high number of UCs attempting to enter the United States in FY 2016, the Budget scores the requested increase at \$24.4 million. In addition to this contingency, the budget includes \$4.7

apprehend and maintain the health and safety for up to 104,000 UCs once specific threshold levels are met. Without this increase in funding, CBP will not have the flexibility to adequately respond to a significant surge of UCs in FY 2016.

*Technology Investments between Ports of Entry*

The FY 2016 Budget Request will enable the continued deployment of proven, effective technology to strengthen border security operations between the ports – in the land, air, and maritime environments. With the deployment of fixed and mobile surveillance capabilities, CBP can gain situational awareness remotely, direct a response team to the best interdiction location, and warn them of any additional danger otherwise unknown along the way. As a result, these investments increase CBP’s visibility on the border, operational capabilities, and the safety of frontline law enforcement personnel. Technology investments are critical to CBP’s risk-based operational strategy. By gaining greater situational awareness, CBP can determine activity levels in all border regions, monitor evolving threat patterns, and strategically deploy assets.

CBP formed a partnership with the DOD to identify and reuse “excess” DOD technology. To date, CBP has acquired several types of technology, including thermal imaging equipment, night vision equipment, and aerostat systems. Until now, we have funded these initiatives using savings we’ve harvested by maximizing efficiencies in our acquisition strategies. The FY 2016 Budget Request begins to baseline these budget requirements by providing an increase to allow CBP to continue the acquisition and operation of DOD-provided systems like aerostats and relocatable towers from DOD. The re-use technology from DOD increases CBP’s situational awareness and operational flexibility in responding to border threats. Funding will also allow CBP to conduct technical evaluations and deploy additional DOD re-use technologies, such as foliage penetrating sensors and wireless sensor data link systems, to the field.

The Budget Request also supports tactical infrastructure investments in Arizona, by providing funding for CBP to complete the Naco Primary Fence Replacement Project. The project is a high priority fence project for the Border Patrol and involves removing and replacing an estimated 7.5 miles of existing primary pedestrian fence that has been successfully exploited by Transnational Criminal Organizations (TCO) due to ease of concealment and inadequate design. The funding will address these vulnerabilities.

The FY 2016 Budget Request recognizes that the border environment between the ports of entry is dynamic and requires flexibility and mobility to address emerging threats. The budget provides funding to procure a minimum of 10 Mobile Surveillance Capability (MSC) systems for deployment to Texas’ El Paso, Big Bend, and Del Rio Sectors. MSC units provide long-range mobile surveillance and consist of cameras and sensors mounted on Border Patrol vehicles. Additionally, Mobile Video Surveillance Systems (MVSS) have proven to provide valuable short and medium-range mobile surveillance and are also mounted on Border Patrol vehicles. The MVSS program plans to deploy four units to the RGV Sector that were originally planned for Arizona.<sup>2</sup> In FY 2016, the budget requests \$25 million for the acquisition of 55 units for the

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million to implement a standardized care for mothers and children in CBP custody to include UCs at POEs and Border Patrol stations.

<sup>2</sup> CBP awarded a small business set-aside contract in July 2014, but a stop work order is in place pending the resolution of protest activities.

South Texas Corridor (Laredo and Del Rio Sectors) and 18 units in the West Texas Corridor (Big Bend Sector) to meet Border Patrol operational needs. Through the deployment of these technologies, the Border Patrol will gain more persistent surveillance coverage, greater situational awareness and will have the ability to effectively detect, identify, track, and interdict potential threats along the Southwest border.

*Investments in Air and Marine Capabilities*

CBP's comprehensive border security operations include the use of coordinated and integrated air and marine capabilities to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illegal drugs, and other contraband toward or across the borders of the United States. During FY 2014, CBP's Office of Air and Marine (OAM) contributed to 4,725 arrests and the apprehension of 79,672 individuals.

CBP's layered approach to border security relies on a variety of resources in the air and maritime domains, including fixed wing, rotary, and unmanned aircraft systems, and patrol and interdiction vessels. These assets provide critical aerial and maritime surveillance, interdiction, and operational assistance to our ground personnel and multi-domain awareness for the Department of Homeland Security.

CBP's FY 2016 Budget Request includes \$44.4 million to enhance OAM's operations and capabilities through the procurement of two King Air (KA)-350CER Multi-Role Enforcement Aircraft (MEA). The MEA has more flight endurance, a multi-mode radar for use over water and land, an electro-optical infrared camera system, and a satellite communications system. The MEA is truly a multi-role aircraft that replaces several, older, single-mission assets. With its sophisticated technology systems, the MEA is the most capable, twin-engine aircraft that CBP has purchased and is a critical investment to support Border Patrol tactical ground movements and improve air-to-ground surveillance capabilities.

Additionally, unmanned aircraft systems (UAS) are increasingly instrumental in CBP's layered and integrated approach to border security. The UAS consists of an unmanned aircraft (MQ-9 Predator B), sensor communication package, pilots, and ground control operators. UAS are used to meet mission requirements along the Southwest border, Northern border and in the Southeast coastal area. Equipped with the VADER system, CBP's UAS provide broad area ground domain awareness at a level never before achieved, and when equipped with other sensors provides timely change detection and direct support for ground interdiction operations. The FY 2016 Budget Request provides for an additional 15 UAS crew, which will enable increased CBP aerial surveillance, enforcement, and security to prevent potential threats from illegally entering the United States.

The Budget also requests \$32.5 million to increase CBP flight hours to conduct border operations along the Southwest border and operations within the source, transit, and arrival zones. The funds will be used primarily for fuel for a variety of aircraft to support southwest border operations and operations within the source, transit, and arrival zones, including the P-3 and DHC-8 aircraft.

Commencing in FY 2020, the Federal Aviation Administration (FAA) will mandate certain aircraft be equipped with and use Automatic Dependent Surveillance-broadcast (ADS-B), a satellite-derived aircraft location system. The Budget Request includes \$1.6 million to start the phased-in purchase and installation of ADS-B transponders and cockpit displays in all CBP aircraft.<sup>3</sup>

As we continue to deploy border surveillance technology, particularly along the Southwest border, these investments allow CBP the flexibility to shift more officers and agents from detection duties to interdiction of illegal activities on our borders. The FY 2016 budget supports CBP's border security mission by increasing and enhancing border security technology including mobile assets, air and marine capabilities, and initiatives to increase efficiency and effectiveness.

#### *Integrated Operational Support*

Canines are used to detect illegal aliens, illegal drugs, and illegal currency in field operations. CBP is requesting an increase of roughly \$10 million for its Canine Enforcement Program (CEP). The CEP plays a crucial role in anti-terrorism and interdiction efforts. Through the CEP, CBP established and deployed a world-class detector dog program to augment existing technology. CBP canine teams are strategically assigned to POEs around the United States and to preclearance operations abroad. This increase will result in a total of 47 more canine teams, with a mix of Currency/Firearms and Human/Narcotics Detection, deployed to the POEs with the highest need. Of this requested increase, \$360,000 will be used by Border Patrol to increase the number of canines to eventually meet its requirement for 1,115 canines by FY 2019.

The budget also provides \$78.8 million for CBP's real property portfolio maintenance and repair backlog. At the end of FY 2014, CBP documented a large backlog of unmet maintenance and repair requirements that present significant safety and security issues for CBP personnel and the general public, along with systems that are at high risk of failure, which could potentially cause interruptions to the successful execution of CBP's mission and operations. The funding increase will remediate life safety and security requirements and repair facility deficiencies, improving operational capabilities and workplace quality. The funds will also support installation or upgrade of security systems and other requirements at leased facilities. CBP will prioritize funds for the most critical CBP facilities infrastructure requirements, with the ultimate goal of ensuring that CBP facilities are safe working environments that allow CBP to efficiently execute each one of its strategic mission areas.

#### **Enhancing Capabilities to Counter Terrorism and Transnational Crime**

CBP plays an important role in the whole-of-government approach in protecting our homeland. In this role, CBP must be a national leader in developing a well-informed, agile, and seamless global counter network effort to strengthen our border security operations, without unduly affecting the legal movement of people and goods. CBP's counter network operations will constantly enhance and evolve its capabilities to serve common interests in combating terrorism; supporting and promoting economic growth; disrupting transnational criminal organizations; and

<sup>3</sup> The estimate to purchase and install ADS-B transponders and cockpit displays in all OAM non-compliant aircraft is \$14.6 million, spread over the course of the next the next several years so that by FY 2018 all hardware would be purchased and installed before the FY 2020 FAA deadline.

preventing the spread of agricultural pests and diseases. CBP is also part of a broader public-private collaboration that extends the “zone of security” to transcend our physical borders, ensuring that the U.S. physical border is the last line of defense, not the first.

#### *Southern Border Approaches Campaign*

CBP is a critical part of the DHS Secretary’s *Southern Border and Approaches Campaign*, which is a unified approach to addressing security on the southern border as well as in the “approaches” - transit and source zones and at points of departure to the United States. The Campaign identifies and interdicts threats at the earliest possible point. The Campaign coordinates DHS assets and personnel, and promotes effective enforcement and interdiction across land, sea, and air to degrade TCOs while still facilitating the flow of lawful trade, travel, and commerce across our borders.

In support of this new strategy, on December 15, 2014, Secretary Johnson announced the establishment of three temporary pilot multi-component joint task forces, each administratively headed by a director and supported by staff detailed to each task force on a temporary basis. CBP will lead Joint Task Force-West and will be responsible for the southwest land border from Texas to California. CBP will also support the U.S. Coast Guard led Joint Task Force-East, which will be responsible for the maritime approaches to the United States across the southeast, from the Gulf of Mexico to the Caribbean. CBP will further support the work of the Joint Task Force for Investigations led by ICE.

#### *Counter Network Operations*

Transnational terrorism and crime is increasingly coordinated through sophisticated networks of individuals and organizations. CBP’s unparalleled data collection and analytics, our global presence, and our investigative neutrality ideally position us to contribute to the global counter network effort. Undetected criminal and terrorist travel, contraband movement, and irregular commercial and financial activity necessitates continued improvement in our ability to uncover the patterns that exist within disparate sources of information. The FY 2016 Budget Request assists CBP in building a counter network capability, includes the establishment of a dedicated Counter Network Division at the National Targeting Center (NTC) and the enhancement of data analysis and visualization tools within the Automated Targeting System (ATS). The NTC will promote the implementation and optimization of CBP’s agency-wide counter network efforts and strategy as a collaborative analytic environment to conduct advanced counter network analysis of the nation’s key transnational organized crime and terrorist targets.

As part of CBP’s efforts to develop an informed global counter network to combat illegal cross-border activities, CBP significantly enhanced its intelligence and targeting capabilities to segment and target shipments and individuals according to the level of risk they pose. Beyond managing the influx of people and cargo arriving in the United States, CBP is also working with other DHS agencies to develop a capability to better identify foreign nationals who have violated immigration law, as well as track suspect persons and cargo exiting the United States

Providing accurate and timely information about encounters with those known or suspected of being involved in terrorist activity to systems such as the Terrorist Screening Database (TSDB) that are shared by law enforcement and intelligence community is an essential function of U.S.

counterterrorism activities. Currently, DHS components must report encounters to the Terrorist Screening Center (TSC) manually via email or phone call, resulting in the potential for timeliness and accuracy issues. FY 2016 funding will support the development of the DHS Watchlist Service (WLS), an automated system that will enable sharing encounter information with the TSC in an automated, near-real time mechanism, contributing to a timely and accurate watchlisting and screening process.

#### *National Geospatial Border Strategy*

CBP recognizes that intelligence is a force multiplier and technology must be leveraged to identify and validate low-risk or low-activity areas on the U.S. border in order to allow a focused and measured use of CBP capabilities against prioritized threats. Geospatial Intelligence (GEOINT) provides enhanced situational awareness through overhead intelligence, surveillance, and reconnaissance so emerging threats can be identified and intelligence can be operationalized as they occur, ensuring continued risk adaptation. GEOINT is an operational capability that includes internal analytical resources and tool suites used in cooperation with our Intelligence Community partners to provide persistent surveillance, systematic analysis, and increased situational awareness along all our borders. The budget requests an \$8.4 million increase to support the expansion of GEOINT to the Northern border, equipment refresh for the Law Enforcement Technical Collections (LETC) program in the Caribbean, and to augment existing Intelligence Support Team (IST) locations participating in joint task forces such as the DHS' Southwest Border and Approaches Campaign.

These new initiatives represent our commitment to a larger DHS unity of effort – one that works toward maturing and strengthening the security of our borders by enhancing shared awareness of risks and threats, building a capable and agile workforce, and fostering innovative approaches and solutions through advanced technology.

#### **Enabling Lawful Trade and Travel**

CBP has the responsibility to enhance the economic competitiveness and security of the United States by enabling lawful trade and travel at the Nation's 328 POEs. CBP accomplishes this by efficiently and effectively processing goods and people across U.S. borders. This is crucial to promoting job growth, and helping the private sector remain globally competitive today and in the future. Through the deployment of critical frontline resources; enhanced business processes, such as the modernization of revenue collection and automation of trade processes; and advanced technologies, such as automated and mobile passport control capabilities, CBP is streamlining the processing of lawful trade and travel, and promoting the growth of the U.S. economy.

CBP supports the President's National Travel and Tourism Strategy to expand the Nation's ability to attract and welcome international visitors while maintaining the highest standards of security. CBP officers welcomed more than 374 million travelers at air, land, and sea ports of entry in FY 2014. More than 107 million international travelers arrived at U.S. airports, an increase of 4.7 percent from the previous fiscal year. Despite the increase in air travel, average wait times were down 13 percent at the top 10 airports.

Cross-border trade also increased in FY 2014, with CBP processing more than \$2.4 trillion in trade and collecting more than \$43.5 billion in revenue. In FY 2014, CBP processed more than \$1.6 trillion worth of U.S. exported goods, an increase of four percent from the previous fiscal year, and 25.7 million cargo containers. In FY 2014, CBP conducted more than 23,000 seizures of goods that violated intellectual property rights, with a total retail value of \$1.2 billion – thereby protecting American innovation.

#### *CBPO Hiring Initiative*

CBPOs are critical in ensuring border security, preventing terrorism, strengthening international cooperation, and securing and facilitating the trade and travel that is vital to the Nation's economy. According to a 2013 National Center for Risk and Economic Analysis of Terrorism Events (CREATE) study<sup>4</sup> on the effect of wait times on the local and national economy, adding CBPOs to POEs has a direct impact on wait times and, therefore, the U.S. economy. More specifically, adding a single CBPO at each of the 33 studied border crossings equates to annual benefits of a \$2 million increase in Gross Domestic Product, \$640,000 saved in opportunity costs, and 33 jobs added to the economy per officer added.

Thanks to Congress' support, funding for 2,000 new CBPOs was included in the *Consolidated Appropriations Act, 2014*<sup>5</sup> (henceforth referred to as the "FY 2014 Omnibus"). These additional officers will have a positive impact on operations, helping to both reduce wait times as travel volume increases as well as enhance our screening of cargo. CBP is pursuing every opportunity to fulfill the remaining CBPO hiring requirement. Although challenges remain, we are making progress. We have opened three separate vacancy announcements – two in 2014, one last month, and will open three additional announcements in 2015. CBP continues to maintain a robust hiring pipeline with significant applicant interest in CBP's frontline law enforcement occupations.

#### *Resource Optimization Initiatives*

CBP is taking action to implement other resource optimizing initiatives, such as public-private partnerships, and business transformation initiatives such as automating forms – like the I-94 form – and standard processes with Automated Passport Control (APC) and mobile technology. We are also seeking Congressional approval to increase current user fees, some of which have not been increased in over 10 years.<sup>6</sup>

CBP will continue to implement and work with airports and other stakeholders to implement business transformation initiatives at POEs across the United States. In FY 2014, CBP installed APC kiosks in 22 locations to streamline the traveler inspection process, reduce wait times, and enhance security. CBP also launched Mobile Passport Control (MPC) – the first authorized smartphone app to facilitate the entry process – and enrolled an additional 1.25 million people in

<sup>4</sup> "The Impact on the U.S. Economy of Changes in Wait Times at Ports of Entry." National Center for Risk and Economic Analysis of Terrorism Events (CREATE), University of Southern California, released April 4, 2013.

<sup>5</sup> Pub. L. No. 113-76

<sup>6</sup> The full set of *Consolidated Omnibus Budget Reconciliation Act of 1985* (COBRA) fees were last increased in 2007. See 72 Fed. Reg. 3730 (Jan. 26, 2007) (using to the maximum extent the fee-increase authority provided in 19 U.S.C. § 58c(j)(3)(B)(ii)). The Immigration Inspection User Fee (IUF) fee was last increased in 2001 by statute. See Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002, Pub. L. No. 107-77, 115 Stat. 748.

Trusted Travelers Programs, which provide expedited travel for pre-approved, low-risk travelers through dedicated lanes and kiosks. Amongst the many benefits to the travelers, these initiatives also allow CBPOs to focus less on administrative tasks and more on critical law enforcement functions. All of these initiatives, as part of the Resource Optimization Strategy, increase security and efficiency, and enhance the passenger experience.

#### *Public-Private Partnerships*

Thanks to this Committee, CBP was granted authority in the FY 2014 Omnibus to conduct a pilot program under which CBP may enter into agreements with private sector and government entities for certain reimbursable services.<sup>7</sup> This pilot program expanded the authority provided under Section 560 of the *Consolidated and Further Continuing Appropriations Act, 2013* (Pub. L. No. 113-6) and allowed for five agreements for CBP customs and immigration-related inspection services (restricting airports to overtime use only).<sup>8</sup> A decrease in the average wait times at these locations is directly attributable to these partnerships as evidenced by wait times decreasing 15 percent at Miami International Airport, 24 percent at Houston George Bush International Airport, 40 percent at Dallas-Fort Worth International Airport, and 10 percent at El Paso vehicle lanes during requested program hours.

In FY 2014, CBP announced additional partnerships to promote trade, travel and infrastructure enhancements. In July, CBP announced initial selections for 16 new reimbursable services agreements. The next Reimbursable Services Program application period was announced this month and is open for 30 days. In October, CBP also announced the Donations Acceptance Program and received seven infrastructure-related proposals, which are currently under evaluation by both CBP and General Services Administration.

#### *Extended Border Initiatives*

In the international travel environment, preclearance operations support CBP's extended border strategy by providing for the inspection of international travelers before they embark. More specifically, preclearance allows CBP to staff officers at host airports and complete the necessary inspections at that location.

In FY 2014, more than 16 million travelers went through one of CBP's 16 preclearance locations<sup>9</sup> accounting for 15 percent of total international air travel that year. In September 22, 2014, CBP announced a process to prioritize potential new preclearance locations. The expansion of preclearance in strategic locations will further strengthen our ability to identify those who may pose a national security threat prior to encountering them on U.S. soil, while enhancing passenger facilitation.

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<sup>7</sup> Section 559 of the *Consolidated Appropriations Act, 2014*, Pub. L. No. 113-76, authorizes CBP, in collaboration with the General Services Administration (GSA), to conduct a 5-year pilot program to enter into partnerships with private sector and government entities for certain reimbursable services and to accept certain donations.

<sup>8</sup> CBP entered into reimbursable services agreements with the Dallas/Fort Worth International Airport Board, the City of El Paso, Miami-Dade County, the City of Houston / Houston Airport System, and the South Texas Assets Consortium

<sup>9</sup> Canada (Calgary, Edmonton, Halifax, Montreal, Ottawa, Toronto, Vancouver, Victoria, Winnipeg), Ireland (Dublin, Shannon), The Bahamas (Freeport, Nassau), Aruba, Bermuda, and the United Arab Emirates (Abu Dhabi).

Another initiative to increase both travel security and facilitation is the Electronic Visa Information System (EVIUS). The FY 2016 Budget Request includes an increase of \$29.4 million for EVIUS, a new program that will allow non-immigrant visa (NIV) holders, who are not eligible to use the Electronic System for Travel Authorization (ESTA), to provide updated biographic and travel-related information through a CBP-operated public website. The system will enable CBP to facilitate pre-departure risk determinations post-visa issuance before passengers initiate travel to the United States. This new system will complement the existing visa application process and enhance CBP's ability to make pre-travel risk determinations.

#### *Revenue Modernization*

The FY 2016 Budget Request recognizes that revenue collection is another CBP function critical to the growth of the U.S. economy. Although CBP collects the majority of revenue electronically, over \$2.4 billion is collected through checks and cash, of which approximately 60 percent is collected at POEs. The request provides \$12.6 million additional funds for Revenue Modernization, which will enable CBP to transition select revenue collection activities from the POEs, reengineer complex collections business processes, and enhance payment processing and financial reporting functionality through automation. The Revenue Modernization effort will create operational efficiencies at the POEs by allowing CBP officers to focus more on critical security and compliance issues, and will benefit the trade and travel industries by transitioning from an outdated process of printing and mailing bills and depositing paper checks to a modernized electronic billing and payment system. Direct electronic payments will increase CBP's speed, accuracy and control over collections, increasing our ability to safeguard the billions of dollars of revenue used throughout the Federal Government to support critical programs and promote U.S. trade and travel.

#### **Conclusion**

The security of our Nation will continue to be tested by new and emerging threats. With the support of Congress, CBP continues to secure our Nation's borders through a multi-layered approach using a variety of tools.

CBP will continue to work with DHS and our federal, state, local, tribal, territorial, and international partners, to strengthen border security and facilitate lawful cross-border trade and travel that is critical to our economy. We must remain vigilant and focus on refining our approach and positioning CBP's greatest capabilities to combat the greatest risks that exist today, to be prepared for emerging threats, and to overcome the challenges of securing a 21st century border.

I want to thank the Members of this Subcommittee for your continued strong support of CBP. Thank you for the opportunity to appear before you today. I look forward to your questions.

## CUSTOMS AND BORDER PROTECTION OFFICERS: HIRING

Mr. CARTER. Well, thank you, Commissioner. We are happy to have you here.

I want to remind everybody that even though we are in a closed room, for the young lady who is taking the record, we need to be sure and have our microphones on when we talk.

Let me start off by talking about our hiring challenges. In 2014, Congress appropriated for 2,000 additional CBP officers. Everybody that had asked for that was pretty happy. A lot of the ports of entry had concerns. This brings our total to 23,775. However, CBP currently is 1,302 agents below the funded levels.

I have about three questions here that you can answer. How many officers will be on board by the end of this fiscal year? Accounting for the increased attrition, will CBP be able to have all 23,775 officers on by fiscal year 2016? And what is CBP doing to address the slow rate of hiring of funded positions?

Mr. KERLIKOWSKA. We will fall short by the end of this fiscal year, but I assure you that we have made great progress. And even though only 700 have been hired now, we are really moving much more rapidly to get those people on board. And we appreciate and understand the fact that these are appropriated dollars, that to the American public, when these folks get on board, they get people through more quickly. And it actually, as the research shows, makes money for this country by getting them on board.

But two things occurred that were particularly problematic. And you well know, Chairman, from our past history, when we lowered our standards of hiring and did not properly vet people, we made mistakes in who got hired. And we paid a price for that, and we are continuing to pay a price for that.

So the company that did background screening through their systems had a breach of security, and so everything was shut down for actually a number of months. So that slowed everything down.

The second part is that we don't hire anyone without being polygraphed before they get on board. Finding the requisite number of certified Federal polygraph examiners has been particularly difficult. We have hired a number of people. We have made sure that we are doing our very best to deploy them and to have people. We have lots of applicants, and we are screening them well through our hiring center. But both of those things.

But I would tell you that there is a lot of light at the end of the tunnel. We have moved much more rapidly. And even though we have only hired 700, the deficit for both Border Patrol agents and for our CBPOs [CBP officers] will certainly be much less by the end of this fiscal year and certainly by the end of the calendar year.

## POLYGRAPH OPERATORS

Mr. CARTER. Well, that is interesting, the polygraph operators especially, because we have heard that story from you and others in other hearings and places. And the question that I never have been able to understand, is if there are not enough polygraph people available to hire, and there are people, for instance in Texas, the Texas Department of Public Safety has a lot of polygraph operators, it might be you could subcontract with them somehow.

I know from personal experience that there is a large number of polygraph officers, Spanish-speaking polygraph officers in the Rio Grande Valley, because they come up in large numbers and train in Austin. As a young defense lawyer, I learned an important lesson: If you have a client that, although he speaks perfect English, he was raised in a Spanish-speaking family, to get the best results you need a Spanish-speaking polygraph operator. Because amazingly enough, even though they would tell you they were not translating in their brain, they are, and you will get an inconclusive.

I had a client that swore up and down he wasn't a thief. He said: "I might be a murderer, but I am not a thief." I thought that was an interesting defense to take to a jury. So I talked to the district attorney to let me go and have him polygraphed and he came up inconclusive, which was not good for me.

And then the operator said: "Well, we have a bunch of Spanish-speakers that are up here from the valley, let them run him in Spanish." And he came out like gangbusters in Spanish, which I got him a much better deal that way.

Mr. KERLIKOWSKE. Your suggestions are ones that I certainly explored because I had polygraph operators certainly when I was the police chief in Seattle. Texas Department of Public Safety has one of the best polygraph programs. And so I explored with the Federal certified polygraph examiners why we couldn't contract with or use them, and I thought that it would make a great deal of sense.

I have run into a real stonewall with that organization that keeps a very close hold. And I know that there are some reasons why we can't do that, because DPS [Department of Public Safety] in Texas is not certified in the Federal system. But I am continuing to push that issue very strongly because I think there are other ways to skin this cat.

#### BORDER PATROL AGENTS: ATTRITION

Mr. CARTER. Well, maybe that is something we ought to look into. Mr. Cuellar and I are both very familiar with what you are talking about. So I will take a look at that issue.

Another concern, the Border Patrol is over 850 agents below the mandated 21,370 floor. It is not news. It has been around for a while. So the underexecution of agents is not due to hiring up at a new level but sustaining the existing workforce. What are we doing to address the hemorrhaging of agents from the Border Patrol? And this isn't a new issue. This issue has been around since I have been on this committee.

Which brings up a question that came up in the conversation in the last 2 days in my office. My deputy chief of staff is a former command sergeant major in the Army, and some people, not including myself, have been discussing with Border Patrol people who said that they wish they had better training. The initial training is good, but there is not the continuing training that we have in our professional Army, where literally, every time you come off a mission you are retrained for your next mission. It is a new training cycle every time you transition.

I am not sure we can get to that level of training proficiency, but there is basically, from what I understand, very little continued training after the initial Border Patrol training. And that might be

something that builds that esprit de corps which would hold our officers in. I don't know. But I want you to think about that, and then whatever thoughts you may have about what we can do for the hemorrhaging of the Border Patrol.

And finally, that is over \$180 million of appropriated personnel funding. What has been happening to those funds?

Mr. KERLIKOWSKA. So in the Border Patrol, attrition jumped, it doubled. It is about 4.7 percent. There are a lot of reasons for that. I think that one is that about a year ago, when agents could retire, they could transfer their unused sick leave toward their retirement. And that is no longer in place, so people took advantage of that.

They also had the continuing issue of this, as you well know, this Border Patrol Pay Reform Act and the use of additional funds. We are quite pleased, of course, that Congress passed the Border Patrol Pay Reform Act. We are in the process of implementing it. At the same time, Fair Labor Standards moneys and AUO [administratively uncontrollable overtime] money is also having to be changed. So we are in that process.

A number of Border Patrol agents who were looking for transfers have moved over to Customs and Border Protection. That is a benefit to us. But it also makes it particularly difficult with the Border Patrol because we need to fill those slots. And of course our focus was on the appropriated funds, the \$180 million, the amount of money that is not being used for salaries because it is available.

So the Border Patrol has used a lot of that money for technology. We will certainly provide you with the figures. But because we will also be in the process of advertising, hiring, screening, selecting people, some of that money is being carried forward so that we can continue that hiring process to make sure we get up to speed.

We have a lot of good applicants. We have a good system in place now, provided there are no more security breaches. We have a lot more polygraph operators on board. But I don't want to come back to you a year later and say: Well, we have gotten everybody hired, but perhaps we hired some people that shouldn't have gotten on board. I would rather tell you that we are not as far advanced in hiring as we should be, but I don't want to get the wrong people into place.

Mr. CARTER. I can't disagree with that. I agree with that. But in turn, we can't sit on pots of money in a time when we are scratching literally every penny out of these budgets to make sure that we are giving you everything that you need. I am a frontline troops guy, okay. I want to make sure the people that are in harm's way have everything they need, because, quite honestly, those of us that sit in the offices have to rely upon them to be out there in the bush.

And having had a one-night experience with the Border Patrol, that is not a very fun job. Everybody ought to go sit out in the cane for a while and get a good impression of what these guys and gals go through.

Well, that is something we need to be looking at very closely, because if we are not going to use the money, then we have to use it for something else.

Mr. KERLIKOWSKA. Yeah.

Mr. CARTER. All right. I guess my time is up.

Ms. Roybal-Allard.

UNACCOMPANIED CHILDREN: PREPAREDNESS

Ms. ROYBAL-ALLARD. Commissioner, CBP was challenged last summer in managing the influx of unaccompanied children across the Southwest border. Are you satisfied that CBP is fully prepared to deal with a repeat of last summer's influx were it to occur, including being able to address the full range of needs of these children? And perhaps even more importantly, are you confident that the Office of Refugee Resettlement is prepared to accept custody of the children within 72 hours of their apprehension by CBP?

Mr. KERLIKOWSKE. Congresswoman, and certainly I appreciated very much accompanying you on your visit to see that and to go through that.

So, first, yes, I am fully confident that the Border Patrol has much greater resources, is much more fully prepared to address this issue with contracts in place for health care, for food service, and for transportation that can be used, and an additional processing center that was purchased and equipped.

I am also very grateful and will knock on wood that we are down about 48 percent, about 17,500 apprehensions this year—or “encounters” is probably the better term—with unaccompanied children. So that is down significantly from last year. We watch it very carefully, we have good intelligence through other means, and we are better prepared.

The Office of Refugee Resettlement through the Health and Human Services [HHS] has taken this issue on. We work much more closely with them. Their footprint was certainly not as large as ours, and a lot of what is done through HHS is also done through contracts. So my visibility on all of their preparations is not as clear as for my own. But I am much more confident that they are in a better position now, having experienced what we all did last year, than today.

Ms. ROYBAL-ALLARD. And to what do you attribute those lower numbers?

Mr. KERLIKOWSKE. Well, one, it would be a mistake to pat ourselves on the back for those lower numbers because we don't know what the future will bring.

I think the aggressive campaign that we did with the Department of State, from bus placards to overhead signs to social media, saying that, one, it is dangerous, and two, if you do arrive here illegally, you will be detained and you will not be allowed to stay, has been a powerful message.

And I think that the fact that the President has met with those three Presidents, and the Vice President has been down there. Secretary Johnson has been full-throated in his discussions with the heads of those countries also. And quite frankly, the Government of Mexico is doing a remarkable job on their border with Guatemala to reduce the problem of people coming on the train.

UNACCOMPANIED CHILDREN: MEXICAN

Ms. ROYBAL-ALLARD. Okay. Speaking of Mexico, I would like to ask a question about the unaccompanied Mexican children who cross the border.

The Trafficking Victims Protection Act requires CBP to make three determinations with regards to the unaccompanied Mexican children. First, the child has not been a victim of trafficking; the child does not fear returning to his or her country of origin; and third, the child is able to make an independent decision to return home.

If CBP cannot affirmatively make all three of these determinations, the law requires CBP to treat them like unaccompanied children from noncontiguous countries. In other words, they must be transferred to the custody of the Office of Refugee Resettlement. And in any case, the child can only return home if they voluntarily withdraw their application for admission.

I have been concerned that CBP may have a practice of simply repatriating Mexican kids without the full evaluation and allowing them to make an independent decision as the law requires. What kind of assurance can you give that CBP is fully following the requirements of the Trafficking Victims Protection Act with respect to Mexican children?

Mr. KERLIKOWSKA. The training that the Border Patrol agents receive in the academy includes the training and the requirement that they ask questions, whether or not the child is afraid to return back to their home country, and so there is a minimum of those three questions. The follow-up question is, is there anything else that you want to tell me? In addition, we have online training that the Border Patrol agents must take so that they understand the settlement in the Flores v. Reno case, and also understand the act on protection.

And I guess I have two feelings, and I know you have expressed some issues about whether they are the best people to do that, to ask that question. They are the first people that these children encounter. Those questions are asked, and it is a minimal number of children from Mexico who then say: No, I don't want to return or I am afraid.

We know from the experience of last summer that lots of children went to the Border Patrol agents in uniform and approached them. So there wasn't a fear; there wasn't a concern on their part. In fact, they felt that they would be protected. But would we be willing also to look at other means of further clarifying and asking those questions perhaps with other individuals? I would be happy to explore that.

Ms. ROYBAL-ALLARD. Like with the Office of Refugee Resettlement, would that be a consideration, of having them look into this, talk to these children?

Mr. KERLIKOWSKA. It would, and I would be happy to do that. I think we just have to keep in mind two things: one, the size of those Border Patrol stations, which are pretty busy; and then also, the capacity of the Office of Refugee Resettlement. But if you would like, I would be happy to explore that further.

Ms. ROYBAL-ALLARD. Are there any records or any evidence that you could point to, to substantiate the fact that Border Patrol is, in fact, doing—I understand they get the training and everything—but to actually show that these things are taking place?

Mr. KERLIKOWSKA. I will be happy to provide that. And I think from the unannounced inspections that the inspector general's of-

vice did last year to the Border Patrol stations, those were things that were addressed and how are these kids being treated.

[The information follows:]

**Insert for the Record**

**Representative Roybal-Allard:** Are there any records or any evidence that you can point to, to substantiate the fact that Border Patrol is, in fact, doing – I understand they get the training and everything – but to actually show that these things are taking place?

**RESPONSE:**

U.S. Customs and Border Protection (CBP's) "Virtual Learning Center (VLC)" is the primary tool that CBP utilizes to track, and ensure that all mandatory training is implemented. The U.S. Border Patrol within CBP requires that all agents take the Human Trafficking Awareness Training and Unaccompanied Alien Children: Flores v. Reno / TVPRA training annually through the VLC. The course includes training Border Patrol Agents that all Unaccompanied Children (UCs), regardless of nationality, be screened for trafficking victimization and / or credible fear utilizing CBP Form 93, Unaccompanied Alien Child Screening Addendum. The questions on the CBP Form 93 ask, for example, the child why s/he left his/her home country, does s/he have fear if they are returned to his/her home country, and a series of questions on whether the child engaged in forced labor and other trafficking issues. It is the responsibility of the Station/Sector leadership to ensure that all personnel are in compliance with all mandatory training and that agents are performing this duty at the stations.

Ms. ROYBAL-ALLARD. Okay.

Mr. CARTER. We are going to go in the order that people got here.  
Mr. Young.

#### DIRECTIVES

Mr. YOUNG. Thank you, Mr. Chairman.  
Commissioner, welcome.

I want to just bring up an issue that came up in our subcommittee last week when Director Saldana was here. A quote was given from the President that he gave on February 25 at Florida International University. He was talking about the Border Patrol, ICE agents, and their new directives, and for those who aren't paying attention to the new directives and they don't follow the policy, that there are going to be consequences to that.

I brought that up to Director Saldana, and her response regarding whether or not it is important to follow the law over the directives. I said the law should be first, and she said that she fundamentally disagreed with that. That was very concerning to me and many members on the committee.

What is the priority, in your mind, directives or the rule of law?

Mr. KERLIKOWSKA. Well, I mean, for us, it is much more complicated than that. We have a number of attorneys and a number of people whom I have to work with on the President's directives. And the advice and the decisions, given those directives, were that they were within the law.

As you know, this is certainly on hold as the Court of Appeals looks at this issue. But for all of the laws that the Border Patrol agents enforce and for the 500 laws that our Customs and Border Protection officers enforce, for many Federal agencies, there are a number of directives that go along with them about how to interpret and to utilize those laws.

And so I would tell you that it is always our duty to follow the law, but certainly the directives, as they have been explained to me by legal staff, were within the law.

#### UNMANNED AERIAL VEHICLES

Mr. YOUNG. My office is hearing from whistleblowers and folks concerned who work for the Department of Homeland Security, for ICE, for the Border Patrol about what the President said and it sounding like a veiled threat in a way, and that they are fearing retribution. Some believe that they have received retribution. And I just want to make sure that you stand up for them, and those that see the rule of law as number one, that you look out for them. So thank you for commenting on that.

I was down on the border. It was eye opening. It was a very good education for not only myself, but I think anybody who is going to make decisions up here regarding the border and homeland security. The aerostats that I saw, I thought were a great addition for helping. Can you talk about how the aerostats have helped out, and what other UAVs you are using?

My understanding is that Chairman McCaul went over to Afghanistan and saw those aerostats up in the sky and said maybe we could use those on the border.

I hope you are working interagency-wise to find what other agencies are using to help with the border. Can you comment on that, the aerostats, how they are doing, do you plan to have more, and how you are working with other agencies to find new technologies?

Mr. KERLIKOWSKA. Well, I think the aerostats have been well received and have been in use, and they are repurposed from the Department of Defense. They are expensive, as almost all the technology is, but we have seen success, whether it is in the Rio Grande Valley or certainly in other locations, by using them.

The Department of Defense has been a great partner, along with NORTHCOM, the Joint Task Force, and others in helping us with night vision equipment, thermal imaging, and the aerostats. The feedback from the Border Patrol is that the aerostats do two things. One, they really expand situational awareness. We just saw that in McAllen a few months ago with a series of arrests of people smuggling drugs who then decided to engage in a shootout with the Border Patrol. But that was detected through an aerostat.

And I would love to be able to expand that. It is expensive, and we have lots of technology needs because the technology is a game-changer. The UAS, I believe, is particularly helpful and important because they provide that situational awareness, the VADER [Vehicle Dismount and Exploitation Radar], the radar systems. And, again, the imaging, the fact that they can be up to 12 hours at a time is helpful.

#### TUNNEL DETECTION TECHNOLOGY

Mr. YOUNG. And, of course, while we are watching from the eye in the sky, there are things going on underground. Can you talk about the technologies there that you are using? There are some pretty sophisticated networks underground that they are using to come into the homeland underground.

Mr. KERLIKOWSKA. Yeah. And I think the weakest area of technology that we have, is the ability to detect tunnels. We have worked with DARPA [United States Defense Advanced Research Projects Agency], and we have worked with other organizations to find some level of tunnel detection.

Now, the vast majority of the tunnels are in Arizona and California and mostly are used for smuggling drugs. But we continue to struggle with what are the electronic systems that could help us identify where the tunnels are. Right now it is either human intelligence or a truck falls through a hole in the ground by driving over. And there is probably something more sophisticated out there in that area.

I think the motion detectors, the remote video surveillance systems, such as the Scope trucks, using both infrared and video, are all helpful. And a lot of those have been repurposed from DOD.

#### SUGAR CANE

Mr. YOUNG. And then just finally, underground, eye in the sky, on the ground, we were in McAllen, Texas, and we went up and down the Rio Grande River. On the American side, we saw sugar cane, a lot of weeds, what are seen as an invasive species of sugar cane that doesn't have much use. It seems to me like there are

some efforts to get rid of that so that we can better watch our homeland. Can you comment on that?

Mr. KERLIKOWSKA. You know, as you have and I have been on the river a number of times and looked at the difficult terrain, particularly when somebody crosses and then enters into those high cane fields, how difficult it is. I was actually unaware that that cane wasn't a commercial or marketable sugar cane, but I would be happy to explore that and learn more about that.

Mr. YOUNG. Thank you. Thanks for your testimony and being here.

Mr. Chairman.

Mr. CARTER. Mr. Cuellar.

#### PROFESSIONALISM CAMPAIGN AND FENCES

Mr. CUELLAR. Thank you, Mr. Chairman.

To start off, I want to associate myself again with the chairman's comments on the officers. I think we appropriated this back in 2013, fiscal year 2014, and we are still holding. And you seem to equate that if we move faster, then you lower the standards. I don't necessarily equate that if we move faster you are going to lower the standards. So, again, I would ask you, because, Laredo has the largest inland port, 12,000 trailers a day, and we really would like to have those move a lot quicker also.

Second of all, I want to say that your folks in Laredo have been doing a great job, that I am hoping we can expand this to other ports of entry, and that is PRIDE Initiative. It is a rider that we put in about professionalism. I will be in San Diego. Those folks over there want it, I think they want it everywhere, balance between security, but at the same time, without having your men and women treat most of the people as criminals, because they are not criminals. And we are talking about the ports of entry, not outside the ports on that. So I would ask you to just continue expanding that initiative. Your folks in Laredo have done a great job.

The second thing is what the ranking member said. I just want to mention that there is an agreement between the U.S. and Mexico, before Border Patrol returns one of those unaccompanied kids, they go to the Mexican consulate. The consulate will go through the same questions that Border Patrol asked and then they return it. So just keep in mind there is an agreement. We will be happy to provide that to you if you don't have that.

The other question, and I have a series of questions, is the fence. And I don't know what your latest numbers are, but when I was on the Oversight of Homeland, to put 1 mile of technology would cost about \$1 million. To put 1 mile of fencing, it would cost about \$7.5 million per mile. So I would ask you if you can update that. I am not a big supporter of a fence. If anybody wants a fence, I would be happy to support a fence around your hometown if you want that. But update those numbers if you can, sir.

And the reason I am asking about that is because I know one of our colleagues in Arizona was complaining, questioning how you spent \$730,000 for 60 feet of fencing, which works out to about \$12,166.66 per foot to fix a fence, and I think that is just a little bit. And I saw the response that you all provided. But I think over

\$12,000 to fix 1 foot of fencing is just a little bit on that. So I would ask you to look at that.

And then does your Department—I know this has been a question in Texas—does your Department also provide breakdowns as to what Border Patrol catches, drugs, et cetera? I know that the locals provide that. I assume the State of Texas has their own numbers, because there has been a question that the State of Texas doesn't break down. They put everything together on this.

I will be happy to provide that information. But if you can follow up on whether you break down, what you all catch, whatever the State does in the State of Texas and whatever the local folks. I know that my brother, who is a border sheriff, knows what he catches, and he knows what DPS does, and he knows what the other folks do, because everybody keeps their own records.

Finally, the last thing, Mr. Chairman, I was talking to Chairman Culberson on this, but also Mr. Carter, and I don't want to put this out, but the details of the thresholds that every sector has, what the U.S. attorneys.

Members, if you don't have a copy of that, I think it was provided to the committee, but if you look at the thresholds, every area has a different threshold throughout the Southern border, which means if I was a bad guy and I know that the Feds are not going to prosecute, I will go to certain areas and keep it under those thresholds, whether it is cocaine, marijuana, whatever it is.

We sometime, Mr. Chairman, we know need to go over this particular situation because then the burden is put on the local prosecutors on that.

So I know I gave you a series of questions. You can follow up with some of them. Overall, I appreciate the good work that you are all doing. I am glad that some of you all are starting to look at some of the things. But quite honestly, some of us are here longer than some of you all in your position. So on issues like cane, we live in the cane. We don't just go in and go out. We see that every day.

Your response, and I say the Department, was to put Spanish wasps, to release them, that that would take care of it. It was millions of dollars. There are folks on the border, like the Texas Soil and Water Conservation, that can do that a lot cheaper, they have been doing this for a long time, that can get rid of that cane. But your folks said: No, they wanted to work with USDA and put a Spanish wasp there.

That Spanish wasp has not been very successful because the cane that I have seen and other members have seen, it hasn't worked. And those bad guys are still using that for coverage.

So I know I gave you a couple of statements, and if you can follow up on some of them with our office as soon as possible.

Mr. KERLIKOWSKE. Can I respond to a couple things?

Mr. CARTER. Yeah, you bet.

Mr. KERLIKOWSKE. Thanks.

So one, I first very much appreciate the invitation, and it was a great honor to be a part of the bridge ceremony in Laredo. It was a wonderful opportunity to see people coming together in the middle of the bridge.

I want to thank you particularly for your personal involvement in the professionalism campaign. So this is a campaign that exists in all of our ports to have our Customs and Border Protection officers, those people in blue uniforms who are, one, the frontline of making sure that people who try to get into the country through the ports, through fraudulent documents, who are wanted on warrants, et cetera, that they are apprehended, that they don't get in. But they are also the first ambassador that somebody sees when they enter the country.

And I am always impressed when I hear someone tell me that when I went to customs, they said welcome home or welcome back. And this professionalism campaign is very good, and I attended the one in Baltimore. But you going and actually speaking to the CBPOs, I think is particularly heartening.

The fence issue in Arizona was actually a little over 200 feet of fence, and this was washed out through a microburst. And the repair of the fence, 700-plus thousand dollars was expensive, but there was also the removal of about 150,000 pounds of concrete and other things that actually caused that disruption. So it was both things.

And I agree with you, sometimes the Federal Government isn't the best place to enlist when you are looking to save money on a particular project. But I didn't find this particularly over the top when I was also informed about how much debris, concrete debris had to be trucked and hauled out of there. And I will be happy to give you more information on fencing costs.

[The information follows:]

**Insert for the Record**

**Representative Cuellar:** The other question, and I have a series of questions, is the fence. And I don't know what your latest numbers are, but when I was on the Oversight of Homeland, to put a 1 miles of technology would cost about \$1 million. To put 1 mile of fencing, it would cost about \$7.5 million per mile. So I would ask if you can update that.

**RESPONSE:**

On July 27, 2014, an unexpected microburst storm in Sonora, Mexico caused significant damage to border fence near Nogales, Arizona (just several miles north of Sonora, Mexico). The microburst created rapid water flow picking up over 150,000 pounds of concrete, material, and debris that collected in an established waterway leading north into the United States. The debris and strength of the water flow built up along the fence and flood gates, causing it to collapse. Specifically, 60 feet of fence was completely destroyed and an additional 150 feet was structurally damaged. The damaged Bollard fencing was located just west of the Mariposa Port of Entry and south of an area known as King Louis in the urban area of Nogales, Arizona.

Repairs of the destroyed and damaged fence immediately ensued in order to secure the exposed area. The approximately \$730,000 fence repair costs included the necessary expenses to clear the work area to properly execute repairs following a roughly two-month delay from adverse weather conditions which resulted in extensive erosion and sediment issues. 12 panels and 15 gates were installed, in addition to the removal of the 150,000 pounds of concrete and debris. Total costs of the repair were approximately \$730,000. The breakdown of the repairs is as follows:

Labor:	\$255,000
Equipment:	\$340,000
Materials:	\$62,000
<u>Project Management/Oversight</u>	<u>\$73,000</u>
<b>Total</b>	<b>\$730,000</b>

Due to the fact that this storm occurred with little to no warning and could not have been anticipated, Border Patrol had no ability to utilize the standard operating procedure outlined in the Drainage Improvement Gate Operations guidelines. These guidelines, developed in partnership between U.S. Customs and Border Protection (CBP) Facilities Management and Engineering (FM&E) and Border Patrol, provide guidance on when storm water gates should be lifted based upon Border Patrol's operational requirements. The process details that FM&E lifts the gates in accordance with Border Patrol's recommendation when flooding is anticipated. Some gates may be opened by Border Patrol personnel, and others require specialized heavy equipment that has to be brought in by the contractor. In this circumstance, Border Patrol Agents in Charge of the Nogales Border Patrol Station maintain operational control of storm gates within their respective area of responsibility.

Border Patrol and FM&E will review the Drainage Improvement Gate Operations guidance document, paying special attention to the decision making process to lift the gates prior to, or at the immediate onset of anticipated inclement weather.

Mr. CUELLAR. Okay. Thank you, Chairman.

Mr. CARTER. Thank you.

Mr. Frelinghuysen.

APPREHENSIONS: COUNTERTERRORISM CAPABILITIES

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

Good morning, Commissioner. Thank you for 40 years of service in law enforcement. Also for having a good sense of humor. I note the hour, and I am sure we appreciate your being here on time. I was barely here on time.

Sort of following along with Mr. Young a little bit, his line of questioning. First of all, Mr. Carter, and I serve on the Defense Appropriations Committee, and actually I think I know more about the Middle East border than at times I do my own border.

As you look at our Southern border, and you look at things happening in South America and Central America, we hear some incredible figures about the death rate of killings in Mexico, some figure of 45,000 people who have been killed, the power of the cartels, a lot of activity. We only need a few bad people to get through the process here. And I know part of your statement relates to capabilities on counterterrorism.

What is your take on that part of your responsibility?

I know you have a working relationship, thank goodness. We are pleased to hear positive comments about your working relationship with the Department of Defense.

What is your take on that aspect of apprehending the people who would do us the most harm?

Mr. KERLIKOWSKA. And I think that we are at about 169,000 apprehensions so far this year, and although that is down from the total numbers last year. That represents around 150 different countries. People often think it is going to be the three Central American countries that were most problematic last year, and Mexico, but the numbers of apprehensions of people are from all over.

I think that one of the huge benefits that this Congress has done with the United States Border Patrol is to increase its numbers. It wasn't that many years ago that it was 7,000, 8,000, 9,000 people; today it is 20,000.

When someone is apprehended, it gives us the ability to debrief them, to ask questions. So rather than leading 20 people into some level of detention after apprehension, we could actually sit down and question and debrief them. And I think that that is very helpful when it comes to people who would do us harm greater than just entering the country illegally. So I think that that is important.

The other key factor, I think, and the ranking member mentioned it, having gone out to the National Targeting Center—I would certainly welcome, and I think she has expressed that to members of the committee, welcoming you to visit—Our interaction, not just with the Department of Defense through information technology, but with the National Counterterrorism Center and other Federal agencies, is helpful.

And then the boots-on-the-ground issue, as I have spoken with the chairman—The boots-on-the-ground issue is that our Border Patrol agents are a part of those communities. They work with

local sheriff's departments. Texas Department of Public Safety, Steve McCraw is held in high esteem by me personally, and that relationship is very good.

#### TERRORIST ACTIVITIES, FUELING

Mr. FRELINGHUYSEN. Do you subscribe to the notion that a lot of what is happening in South America and Central America—and I know you have certain responsibilities—that a lot of the shake-downs and the activities of cartels—and this is sort of in, I think, certainly open sources—that a lot of that might be fueling some terrorist activities?

Mr. KERLIKOWSKE. I think that there has been a lot of research, and certainly during the time that I served as the President's drug policy adviser and spent a lot of time on some of these issues also—We know that transnational organized crime looks for lines of business just like any other business and where they can make a profit.

We also know that terrorists need money and they need financing, and the information that terrorist organizations have engaged in illegal activity, everything from smuggling cigarettes to used cars, those types of things are important. And I think that the more emphasis we place on going after the money, the more harm we can do to those organizations. So I think you are right.

#### TUNNEL DETECTION TECHNOLOGY

Mr. FRELINGHUYSEN. And lastly, getting sort of back to Mr. Young's comments, I was surprised, and I know Chairman Carter heard this in terms of the continent of Africa, the limited ISR. And then I hear that it is also true for your area. I just wondered what assets you are missing. I know you have a relationship with the Department of Defense, DARPA, you are using all sorts of technologies. But if you are impoverished, I think it is important for all our committees to sort of know what you need.

Mr. KERLIKOWSKE. Well, I think, when I spoke with Mr. Young, I think the tunnel detection technology could be improved because that is a difficult area.

Mr. FRELINGHUYSEN. Well, the technology actually exists. It does exist. You just haven't had it. It hasn't been given to you. Is that correct?

Mr. KERLIKOWSKE. Well, actually, the tunnels that we have been encountering that are much deeper, things like ground-sensing radar and things like that, actually haven't been all that successful. So working with our science and technology counterpart at DHS, that would be one area that I would like to do.

And, of course, the other is that a lot of the technology needs to be updated and refreshed. The aerostats that you mentioned, some had been sitting in a warehouse postwar for 5 or 6 years. That means when it comes out that the technology is old, they need to be updated, et cetera. There is a cost there.

Mr. FRELINGHUYSEN. You have brought it to our attention.

Thank you, Mr. Chairman.

Mr. CARTER. Mr. Price.

## CARGO SCREENING

Mr. PRICE. Thank you, Mr. Chairman.

Commissioner, welcome to the subcommittee. Thank you for your good work.

I would like to focus today on some of your overseas operations, both with respect to passenger preclearance and cargo screening. Let me start with cargo screening.

As you well know, there is 100 percent requirement in the law for the scanning of 100 percent of maritime cargo originating in foreign ports prior to landing. For a variety of reasons, good reasons, I think, from cost to technology to the infrastructure at many harbors and ports, this requirement seems like a distant reality.

So recognizing that, last year, the Secretary extended a waiver on this requirement by 2 years. Now, I understood and supported this waiver, but I have again been disappointed by the Department's failure to take the longer view and to propose a legitimate alternative to the 100 percent screening requirement.

Last year's committee past report included language making it clear that the subcommittee did expect CBP and the Department to lead on this issue and to propose alternative requirements that could realistically be achieved within the next 2 years. We also required the Department to propose medium- and long-term goals for increasing our scanning capabilities at high-risk foreign ports.

So therefore, these questions. What is the status of meeting these goals? Should we expect the Secretary to again request a waiver to delay implementation of the requirement? What are the technological hurdles that still need to be overcome to ramp up the amount of cargo we screen overseas, just setting aside the 100 percent figure? To the extent we can and should be ramping overseas screening up, what are the technological hurdles that need to be cleared? And are there diplomatic or other hurdles that we may have underestimated?

Mr. KERLIKOWSKA. So I know that the Secretary has made this a high priority, and I know that his statements have been that it is the law and that he should do everything possible to move to the 100 percent scanning.

And it certainly involves, as you know, not only a complex set of diplomatic issues. I visited Singapore, where we have three people in our advance screening center over there to work with Singaporean officials. Many of these ports, when I was at the port in Cartagena—Many of these ports are also, of course, privately owned. Unlike many ports here in the United States that are operated by some level of government, these are private ports, and so we have to work carefully and closely with those organizations.

We are in now 40 countries. We have about 800 people overseas. And that level of working with these counterparts in the large ports in Germany and other places, Amsterdam, is particularly helpful. Right now the screening is risk based, who is the operator, where is this coming from.

I think you are familiar with the fact that we have Trusted Traders that we have vetted carefully, and we have vetted their personnel. Many other countries that have asked for our assistance in developing those same kinds of programs where the traders them-

selves, these shippers, I mean, they want safety and security. They don't want a blemish on their organization either. And they are working very hard to develop some programs.

I certainly can't speak for the Secretary on whether or not he will ask for the waiver, but I can also certainly say that many of the barriers and the difficulties of 100 percent scanning that have been testified to by previous Secretaries still exist today, but progress is being made.

Mr. PRICE. Well, what I am implying in the way I asked the question, I believe, is that this may well be a goal that is not attainable and that there is going to need to be a thorough reconsideration of the way we do this kind of screening. And you described, and maybe I am going to ask you now to flesh out just a little bit what you mean by a risk-based approach, which has been the operative approach for these intervening years.

What we are looking for, I think, is some indication, some plan of the future development of that approach or any other approaches that, together with whatever overseas screening we are able to do and choose to do, that comprehensively we have a reliable plan going forward.

And that is what we have repeatedly asked for. It is not that we are quibbling with these waivers, or at least I am not. It is a matter of understanding the reason for the waivers, but at the same time asking, short term and long term, what kind of larger plan do we have and what might we expect in the future?

Mr. KERLIKOWSKA. So I couldn't agree with you more that the 100 percent scanning would be incredibly difficult. And if somebody had already come up with the plan and the proposal to move forward, I think it would have been well presented to Members of Congress. I think the system that is in place now is a very good system, and our National Targeting Center for Cargo is incredibly helpful.

When I think of the risk-based approach, I think, first of all, who is the shipper. If shippers have subjected themselves to incredible levels of vetting and scrutiny by the United States Government about their employees and their processes and their security, they can be trusted, and they can be trusted more. There is still verification.

The second part is, when we look at the cargo coming in through the National Targeting Center, what is the country of origin, what other countries has the cargo been to or was passing through, what is the manifest, who is the intended receiver, and et cetera? And that gives us a huge ability.

These new freighters with 15,000, 16,000, 17,000 20-foot equivalent containers are pretty amazing. We need to be able to drill down into that information, and I think we are doing a better job.

I think America's leadership with other countries on this has been helpful. I will be with the World Customs Organization. Next week, I will be in Africa on border security issues in Kenya and several other countries. They really look to the United States for policies, programs, training, and equipment that not only make us safer, it makes their countries safer.

Mr. PRICE. I expect my time has expired. Let me just say, though, that I understand that this is quite far along and it has

been developed in a way that does greatly increase the security. We have not, though, ever on this subcommittee gotten the kind of response that we expected and needed to these requests for you to flesh out the plans going forward.

And to get past this year-to-year waiver business, there may well have to be waivers into the indefinite future, but there also needs to be some assurance that we are operating in a rational and comprehensive fashion so that we have a plan. And maybe your practice is better than the kind of reports we have received indicate. I suspect it is in some instances.

But I do urge you to take those requests seriously. I expect they will be repeated in this year's bill.

Mr. CARTER. Thank you, Mr. Price. And a good point.

Mr. Stewart.

#### AUTOMATED EXPORT SYSTEM: WEAPONS

Mr. STEWART. Commissioner, thank you. I appreciate your many years of service. One of my favorite things to do is go back to my district and to ride with some of the law enforcement and police officers and see what they do. It is very interesting work, but it is difficult work as well. So thank you for that.

You should know that I am from the West. I represent Utah. I grew up ranching. Still have the ranch in my family. I was a military member. The Second Amendment is something that is really quite important to me, as it is for millions of Americans.

I am distressed at times by what I believe is an attempt by this administration to suppress or to make more difficult Second Amendment rights for Americans. And I have a question regarding this, and I would like to begin with this premise: That you and I would agree that there are sometimes lawful and practical reasons why an American would want to travel overseas, travel internationally with a weapon. Could we agree on that?

Mr. KERLIKOWSKA. Yes.

Mr. STEWART. For example, going on a safari, going to Canada to hunt, whatever that might be.

In the past, this is relatively simple, and I have done this. You fill out a form that you are familiar with, a 4457, I guess, as I recall, and you had to enter the serial number, and it was relatively easy to do.

But now there is a new protocol which, frankly, makes it almost impossible for many Americans, without being deceitful, without being dishonest, because now under the new CBP and ICE, under the Automated Export System, you have to enter an EIN, Employer Identification Number, which maybe you have one. I would be surprised if you do. Some people do, but most don't.

And if you go to the IRS to get an EIN, you have to have a reason, and one of them isn't because I want to travel to Africa on a safari. They are all dealing with, "I am creating a business, I am hiring an employee," something in a business structure.

Tell me why. This makes no sense at all, why we would have this new protocol, and it requires people to be dishonest in order to do something that is legal and lawful.

Mr. KERLIKOWSKA. So the chairman brought this up to me when I visited with him last Thursday, and then Senator Hoeven asked

me if I would visit with him yesterday on this. Until the chairman brought this up with me, I actually was unaware of the new protocol. I was well aware that if you wanted to travel into Canada and go hunting, you filled out the form, the Customs and Border Protection officer looked at your identification, looked at the firearm to see that it matched, and then you continued on your way.

Mr. STEWART. Could I comment on that quickly?

Mr. KERLIKOWSKE. Sure.

Mr. STEWART. And that is if you are unaware, you need to go back to your folks and say: Why wasn't I? Because there have been a lot of people who have been working with your agency for a long time now trying to raise this issue.

Mr. KERLIKOWSKE. So I think that the part of this about, one, we have a lot of protocols. We enforce laws for 47 different Federal agencies. Well over 500 laws, including the Department of State. So I would tell you that I am not aware of every FDA [Food and Drug Administration] regulation and every Consumer Product Safety Commission regulation that our people enforce.

I will tell you that when the chairman brought this up and I met with Senator Hoeven yesterday, it made no sense to me to continue down this path. By this afternoon we would be changing our Web site and our information, and for this interim process through the State Department, we would be continuing to take the Form 4457 that you mentioned.

#### FIREARMS REGISTRY

Mr. STEWART. Great. So glad to hear that. And we will follow up with you, if we could, to make sure that we have had relief on this. It is really important to a lot of folks.

The second question I have and I think is ancillary to this, and that this essentially collects firearm information and creates, although through a backdoor, a registry of firearms with their identifying numbers on those.

Do you keep that information, or is that information destroyed?

Mr. KERLIKOWSKE. I actually don't know about that Form 4457. I think the history had always been that people, whether they were taking an expensive camera overseas from the United States or a firearm or something else—The purpose of having that information is that when you returned Customs would not say: Well, you must have purchased that gun or that camera or that something else overseas and now you should be declaring it or you should be paying a duty on it.

So I understand some of the reasoning behind expensive pieces of equipment. But I will certainly follow up with your office on the records and how long they are kept.

Mr. STEWART. Okay. Thank you.

Could we agree that if we as American people wanted to create a national gun registry, that would be appropriately done through Congress in conjunction with the Executive? That is a meaningful decision and that that is a congressional prerogative?

Mr. KERLIKOWSKE. I would agree that some type of national gun registry, which I think would be probably incredibly difficult to ever have, having spent a long time on gun issues, is something that would go through Congress.

Mr. STEWART. Okay. And thank you for that. And that being the case, then, you can understand why we would be concerned that if this information is collected and if it is kept and stored and available, again, it is essentially a backdoor way to a gun registry—at least a partial gun registry—and why we would be concerned about that.

So thank you, Commissioner. Once again, we will follow up with you on that, and look forward to working with you.

Thank you, Mr. Chairman.

Mr. CARTER. Thank you, Mr. Stewart.

By the way, the Commissioner's response was very quick when we raised this issue with him last week.

Thank you, Commissioner. I appreciate your quick response.

Mr. KERLIKOWSKA. Thank you.

Mr. CARTER. Who is next? Mr. Fleischmann.

Mr. FLEISCHMANN. Thank you, Mr. Chairman.

And good morning, Commissioner. I want to thank you for your outstanding service. I was reading your resume, especially in the National Drug Control Policy. I appreciate that very much.

And I want to thank my colleague, Mr. Stewart, for raising the issue about the gun registry issue. So just so that I can be abundantly clear with my constituents, as of today we are getting rid of the EIN and all that other stuff and we are going back to the way that it was used to be.

Mr. KERLIKOWSKA. So what I would make clear is that by this afternoon—And some of this of course is on our Web site that talks about the EIN. And this provision apparently has been in existence for quite some time. We did not enforce that particular section.

So, one, we will post the information that we will continue with the process of using the form that the Congressman described. But I will be involved in discussions with the Department of State and others on that provision that requires this because it needs to be reviewed.

#### BORDER SECURITY: ILLEGAL ENTRANTS WHO GOT AWAY

Mr. FLEISCHMANN. Thank you. Thank you very much.

Commissioner, I also would like to thank you for the state of the border briefings your agency has begun providing to this subcommittee. This has been an effort to keep us updated on your efforts to secure our border.

One of issues that has come up in these briefings is the problem of, quote, unquote, got-aways, or persons crossing the border illegally who are not apprehended or turned back into Mexico. When we last spoke about this problem, we were not given any kind of estimate as to the number of people who have gotten away from the Border Patrol personnel.

Can you please provide us with that information now, as well as an update on your efforts to reduce that number, sir?

Mr. KERLIKOWSKA. I would certainly tell you that the number of people who are apprehended is a pretty easy number to calculate, whether it is at the border or at a checkpoint or something else. The number of people who actually enter the country that we could see and we were not able to apprehend is certainly a bit more difficult when you are looking at that formula. And then the number

of people whom a Border Patrol agent spots and then sees them turn back. And then there is always the question of did they turn back and then reenter the country of Mexico, or did they turn back and then use some other route to try and get into the country?

The one, I think, particularly helpful part of all of that is that those numbers and those observations come from the Border Patrol agents, kind of the boots on the ground. So I would tell you that we look at a variety of systems to try and figure out and tell people if a border more secure, which I think certainly it is more secure than in times past. But it is a difficult dynamic. And I would be happy to follow up with some more detail.

[The information follows:]

**Insert for the Record**

**Representative Fleischman:** One of the issues that has come up in these briefings is the problem of, quote, unquote, got-aways, or persons crossing the border illegally who are not apprehended or turned back into Mexico. When we last spoke about this problem, we were not given any kind of estimate as to the number of people who have gotten away from the Border Patrol personnel.

Can you please provide us with that information now, as well as an update on your efforts to reduce that number, sir?

**RESPONSE:**

A secure border area is a low-risk area, when we are confident that we have situational awareness of imminent and emergent threats to border security and the Border Patrol's ability, in conjunction with its law enforcement partners, to mitigate those threats. The Border Patrol, in compliance with the *2012-2016 Border Patrol Strategic Plan*, has implemented a risk-based strategy to concentrate its greatest capabilities in areas known to possess the greatest risks to national security.

The Border Patrol currently employs a combined set of outcome and output measures as well as other data along the Southwest Border that collectively describe the state of the border. These metrics reflect the Border Patrol's continual assessment of threats posed by transnational criminal organizations and measure the success in mitigating the risks associated with those threats.

Current state-of-the-border measures include three key points:

- Intelligence Community Estimates;
- Risk Indicator Metrics; and
- Situational Awareness

The risk indicator metrics cover a wide array of qualitative and quantitative measures, such as:

- Threat;
- Situational Awareness; and
- Effectiveness.

The effectiveness of our interdiction efforts analyzes the percentage of illegal crossers that, after making an illegal entry, the Border Patrol apprehends or turns back to the country from which they entered. The number of people who, after making an illegal entry, are not apprehended or turned back and are no longer being actively pursued by Border Patrol Agents (gotaways) is a part of that analysis and is captured from a variety of sources, including reporting of Border Patrol agents, as well as technology which includes mobile surveillance, underground sensors and aircraft.

The U.S. Border Patrol Effectiveness from FY 2013 – FY 2014 by Sector is attached illustrating an increase in nationwide effectiveness from 77% in FY 2013 to 79.28% in FY 2014.

Mr. KERLIKOWSKE. But when I was a police chief, people would ask: Is Seattle a safe city? And I would say: Well, gee, how do you know? Is it a safe city because we have a lot of police officers, because the crime is lower, because we have made more arrests? What is your definition of a safe city? I think I run into the same problem when somebody says: What is a secure border?

#### BIOMETRIC ENTRY/EXIT PROGRAM

Mr. FLEISCHMANN. Thank you, sir.

I have got one last question. I would like to inquire about the status of your work to establish a biometric entry/exit program to track foreign nationals entering and leaving the United States, and more importantly, identify individuals who have overstayed their visas and remain in the country illegally. This capability is critical to ensuring our Nation's security.

What progress specifically is being made to develop an implementation plan for the establishment of this system, and when can this subcommittee expect to see a report on that progress, sir?

Mr. KERLIKOWSKE. And I would certainly invite you to visit. We, along with our Science and Technology part of the Department of Homeland Security, have a mock airport entryway that has been built out in Maryland to try and identify what would be the best biometric.

Now, there are lots of ways to leave this country. You can walk out of the country, you can drive out, et cetera. So if you are a foreign national and you are leaving the country through Canada, Canada provides us that information as that person enters. So that is helpful.

But the other part is that none of our airports were built with an infrastructure in mind to have the same type of exit that we have when you come into the country and go through customs. So we have to look at what would be a biometric system.

Airlines say that they would like to have 10 seconds per passenger in order to board a plane. Finding a technology that also can operate within that 10-second timeframe is darn hard. And the last thing we want to do is stack up airlines any more with people waiting to get on a plane, as I think you have all experienced.

So we are working closely. The airlines are great partners. There is a lot of new technology (passive iris scanning, facial recognition types of things), and I would be happy to show you some of that technology and try and figure out how we can do that.

Mr. FLEISCHMANN. Thank you, Commissioner.

Mr. Chairman, I yield back, sir.

Mr. CARTER. Mr. Culberson.

#### BORDER SECURITY: SOUTHERN BORDER CROSSINGS

Mr. CULBERSON. Thank you, Mr. Chairman.

Commissioner, thank you for your service to the country all these many years. You have been a dedicated law enforcement officer, and appreciate all the good work you have done.

In just ballpark estimates, how about people do you estimate cross the southern border, for example, between San Diego and Brownsville in a month? Just ballpark.

Mr. KERLIKOWSKIE. I couldn't even—I mean, I know our numbers of apprehensions on the southern border and the number of people, but the number of people entering the country, we have about a million people enter in through our ports of entry per day in this country. We have lots of data and statistics.

Mr. CULBERSON. Right. But just a kind of ballpark estimate based on your long experience, what would you estimate, every 30 days, how many people cross?

Mr. KERLIKOWSKIE. A lot.

Mr. CULBERSON. Of those that cross, thinking of them as, say, out of every 100 that cross, for example, how many, out of every 100, again, just ballpark estimate based on your long experience—I have been on this wonderful subcommittee for years, we have worked together for years on this, I know how dedicated you are to this, but, again, just to try to get a handle on it—every 100 that cross, how many do you think that are actually detected, either visually or in some other way, by the Border Patrol?

Mr. KERLIKOWSKIE. So, I mean, I think that when it comes to illegal crossings, Pew and others have really worked pretty hard to determine or to come up with a number of about 11 million people in the country that are here illegally, and that is over a period of years.

I think that the Border Patrol works pretty hard to measure what it calls its effectiveness rate in apprehensions. So rather than try and provide you a number, I would tell you that that long experience tells me, and having done the Southwest Border Counter-narcotics Strategy and been the author of three of those during the time that I was at ONDCP [the Office of National Drug Control Policy], that the technological resources and the boots on the ground and the eyes in the air along the southwest border today are far greater than ever before.

And my old friends and colleagues who are sheriffs and police chiefs in El Paso and San Diego and others, many inland cities would be quite happy to have the low crime rate that those cities happen to have.

Mr. CULBERSON. So out of every 10 that cross, you think the Border Patrol is detecting 3, 4, 5?

Mr. KERLIKOWSKIE. I am really hesitant to give you that number, but I am also more than willing to have a further discussion and to bring some of the Border Patrol experts with me to sit down with you or your staff.

#### APPREHENSIONS: NUMBERS

Mr. CULBERSON. Of those that are detected, how many actually have an encounter with a Border Patrol official?

Mr. KERLIKOWSKIE. The illegal apprehensions that a Border Patrol agent sees and can actually apprehend, they all have a direct encounter with that agent.

Mr. CULBERSON. Three out of 10, do you think, have an interaction of some kind?

Mr. KERLIKOWSKIE. If it is any person who is being detained or been apprehended, unless they escape, and we do have some of that—unless they escape, they do have a direct encounter with a Border Patrol agent.

Mr. CULBERSON. Right.

Mr. KERLIKOWSKE. The numbers of those whom they actually would see who then disappear back into Mexico, we see those reports. I see those reports every single day in which there has been an incursion, which we have apprehended somebody—

Mr. CULBERSON. Sure.

Mr. KERLIKOWSKE [continuing]. And three others got away.

Mr. CULBERSON. Yeah. What I am driving at is, if your agents encounter somebody at the border, they have an opportunity to either speak to them, touch them, be able to interact with them, is what I am talking about, 3, 4 out of 10 that cross?

Mr. KERLIKOWSKE. Again, I am hesitant—

Mr. CULBERSON. Hard to say.

Mr. KERLIKOWSKE [continuing]. Hesitant to give you that.

Mr. CULBERSON. How many do you think are actually taken into custody out of every 10 that cross, 3 out of 10?

Mr. KERLIKOWSKE. Again, I would probably defer back to that first answer of dodging your question.

Mr. CULBERSON. Okay. Of those that are apprehended, how many of those that you apprehend are actually taken into custody?

Mr. KERLIKOWSKE. Every one. If an agent can put his or her hands on them or take them into custody, they are detained. They are brought to a Border Patrol station, which actually has lockup facilities, and then they are eventually transferred to Immigration and Customs Enforcement. So they do have hands on.

Mr. CULBERSON. A hundred percent of the individuals that cross illegally who are actually touched by an agent, apprehended, are processed and taken down to a facility?

Mr. KERLIKOWSKE. Yes, sir.

#### BED SPACE

Mr. CULBERSON. Have you ever had an agent request for bed space been denied by ICE?

Mr. KERLIKOWSKE. Not that I know of. The working relationship with Director Saldana and Immigration and Customs Enforcement is very good. They run the detention facilities, either themselves or with other personnel. The new detention facility in Dilley, Texas, I think has bed space for over 2,000 people. And I would know, especially on the unaccompanied children, in a report that I get twice per week—I would know if they ran out of bed space and we didn't have some place to put them. And I haven't heard any complaint at all this year.

Mr. CULBERSON. So they have been able to handle everybody you have asked them to take?

Mr. KERLIKOWSKE. They take. Everybody whom we have asked them to take they take.

#### NOTICES TO APPEAR

Mr. CULBERSON. How many individuals that are apprehended by the officers at the border are given a—what is that form you sign says: I agree to appear later.

Mr. KERLIKOWSKE. Notice to appear.

Mr. CULBERSON. Yeah, NOTAMs.

Mr. KERLIKOWSKE. Right. So we have notices to appear for people. We actually work through Immigration and Customs Enforcement, ICE, to do the notice to appear. But we work with them because there are protocols. If somebody has a location that they are going to be and they can appear, they can be given that notice to appear. And I don't have that number.

Mr. CULBERSON. Sure. But, I mean, at the time of the initial apprehension when the officer picks them up—

Mr. KERLIKOWSKE. They get processed first.

Mr. CULBERSON. They get processed first.

Mr. KERLIKOWSKE. So you would get brought to the Border Patrol station. We want all of those biometrics. So we want those fingerprints, we want that photograph, and we want that information before a notice to appear would ever be issued.

Mr. CULBERSON. Okay. And then the individuals that are given a notice to appear then, you have got folks that are given a notice to appear, and others, for example, are taken to be returned to Mexico and other sectors of the border?

Mr. KERLIKOWSKE. They can be returned to another or to be—

Mr. CULBERSON. In other sectors or in that sector?

Mr. KERLIKOWSKE. I think one of the goals has been, particularly if it is individuals who have been—and we look at recidivism. Has this person entered the country before and been apprehended? We want to return them to some part of Mexico that wasn't the place that they entered into the United States from so that it is further away, and we believe that that disruption is helpful.

Mr. CULBERSON. Okay. I just want to confirm, then, so what you are saying is that if I go talk to any of the sectors up and down the border between Brownsville and San Diego, 100 percent of the individuals actually touched by an officer on the border are taken into custody.

Mr. KERLIKOWSKE. I would tell you—

Mr. CULBERSON. Processed.

Mr. KERLIKOWSKE [continuing]. That they are processed because—

Mr. CULBERSON. Hundred percent.

Mr. KERLIKOWSKE [continuing]. We need and want those biometrics.

Mr. CULBERSON. Okay.

Mr. KERLIKOWSKE. Right.

Mr. CULBERSON. Thank you.

Mr. KERLIKOWSKE. Okay.

Mr. CULBERSON. Thank you, Mr. Chairman.

#### FUNDING REQUESTS, PRIORITIZING

Mr. CARTER. It is back to me. We are going to try a quick second round.

Well, we are back to the money, Commissioner. We talked about this earlier. The 2016 budget request is over \$850 million higher than the enacted level, given the limits of the nondefense discretionary spending imposed by the Budget Control Act. It is likely that the request will have to be cut and proposed increases will have to be prioritized. You understand that. We talked about it earlier.

What part of the \$850 million are must-fund items and which can be delayed? And can you prioritize your funding requests?

Mr. KERLIKOWSKE. So I would tell you that our people, our personnel. Even though the technology is incredibly important, funding the personnel whom we have and continuing on, because it is a labor-intensive business, that is particularly helpful.

The second part is the technology that needs to be improved upon, particularly at ports of entry, is very important to us. And I would assure you and certainly assure the committee staff that as you work through this budget process, we will be happy to prioritize and give you the information. But people and technology.

Mr. CARTER. That brings up a question we talked about earlier, the fact that we probably are not going to spend the money from last year, we are not going to reach that 2,000 number that we estimated. A lot of people tell me they are.

And we talked about how we don't want to build up slush funds. I asked you how leftover appropriated money might be spent and you said on technology and the people first, and I agree with that 100 percent. People are the priority of law enforcement, period, and technology is important.

When you make a budget request to use that money for other things, is this committee informed that you are making requests to spend that money in other ways than people when we bump up against September?

Mr. KERLIKOWSKE. If the money is within, for instance, the Border Patrol, and the Border Patrol is going to spend it on technology that will help in securing the border, I believe that the committee is provided information. I don't think there is a permission system because it is within the Border Patrol's budget. If we wanted to use any of that money to spend on UAS [unmanned aerial system] or air and marine, that would require a reprogramming, and the committee would not only be informed, but the permission would have to be granted.

But, I mean, last year the Border Patrol spent on those kids about \$16 million or \$17 million on contracts for food and transportation and healthcare stuff. In turn, they purchased, the Border Patrol purchased better technology. And then we know that the money going forward to hire and screen and pay those polygraph examiners, because we are going to get to the goal of having all of these people onboard. We have got great applicants. We have got a lot of young people. We have got a lot of veterans. I can assure you that I will get them onboard.

Mr. CARTER. As you can see, in the good times we don't have to pinch pennies. But right now with the system we are operating under, we have intelligent discussions about this. They go on forever. But the reality is, you have to play under the rules you are given. That is the way the game has to be played.

A concern that I have more and more is we don't want to wake up and find that we are double paying for things. You need technology, you have a technology column and you have a people column. I don't see any objection to when you are bumping up against deadlines you fund the technology needs.

But if we are trying to fund both, as an intelligent committee getting an idea of our resources, then information provided to us as to how that money would be spent seems to be a good thing.

Mr. KERLIKOWSKA. Yes, sir.

PRECLEARANCE: NEW LOCATIONS

Mr. CARTER. Maybe that is asking too much, but I would hope it is not. I would like to know, as you make those changes, where our money is going so we can better plan for the next year, when we have to do this kind of prioritizing. Hopefully, life will get better sometime.

Second question, something we have some new information on. We have some preclearance operations, the one we put in initially at Abu Dhabi, and we signed an upgraded agreement, recently, with Canada.

Can you discuss the Department's current negotiations with interested foreign airports and the timeframe for new preclearance operation locations? How does the Department plan to pay for construction and staffing of new locations? Will there be cost-sharing agreements with foreign entities? And do you expect the U.S. airports to lose CBP officers, staffing, to new preclearance locations? And, finally, how is the newly signed agreement with Canada different from the previous?

Mr. KERLIKOWSKA. So Secretary Johnson has made the preclearance issue, because we work in conjunction also with TSA [Transportation Security Administration], an important issue. Certainly from a security standpoint, I think already in Abu Dhabi with a year into this, there have been literally hundreds of people whom we have recommended to the airline that they be denied boarding, because if they did arrive in the United States, they would not be considered admissible.

From a security standpoint, having people never get on that airplane who shouldn't come here is a good thing. From the airline standpoint, they see it as a good thing too because they don't have to turn around and fill that seat with somebody going back that they are required to do.

We have had letters of interest from over 25 airports around the world that believe that preclearance would be something that they would like to discuss further. That number is being prioritized downward to those that have the infrastructure, those that are most interested, and where it could be most helpful to the United States.

So the preclearance issue I think is really a great step forward on security. It is also a great step forward that when people land at Dulles or JFK, they don't get in line. They don't clog up the Customs line. They just pick up their bag and go.

The last thing, and you are aware of this too from the public-private partnerships and the work we are doing with Southwest Airlines and others. Those countries in which we have preclearance agreements pay 85 percent of the salary and benefits of our people who are there. So whether it is in Abu Dhabi or Ireland or Aruba, et cetera—not bad places, I guess, to work—they are being paid. So we don't supplant anybody. This is over and above.

Mr. CARTER. Out of curiosity, I would be interested in that list of people that have applied. Because, one of the questions that came up from the carriers were when we made an agreement with Abu Dhabi there weren't a lot of U.S. Carriers flying to Abu Dhabi. My guess was that we would quickly hear from European ports and others that would say: Put us on that list, we are interested.

Mr. KERLIKOWSKA. And you will also quickly hear, and I am sure many staff have, from the airlines, the large United States airlines, that the places we are discussing with all have American flag carriers.

Mr. CARTER. And that was the big issue. Thank you.

Ms. Roybal-Allard.

#### BORDER SECURITY: DEFINITION

Ms. ROYBAL-ALLARD. Before I ask my question, I want to make two points. One is that the cost of purchasing technology, it doesn't end there. We also have to factor in the maintenance cost for that technology that is purchased, which I understand, particularly if it is older technology that we get from DOD, is often very, very costly.

The other point I would like to clarify is with regards to the unaccompanied Mexican children. My question had to do with whether or not CBP is following the requirements of U.S. law to determine when these children should be returned. My colleague Henry Cuellar mentioned the fact that we often work with the Mexican consulate in returning these children, and I just want to point out that I think that is wonderful, but it is not a requirement of the law. It is something that is voluntary.

The question I have goes back to something that I mentioned during my opening statement, and it has to do with the definition of border security. In the simplest possible terms, and with the understanding that the border can be dynamic, can you describe the realistic end state capability that you envisioned for border security and how long you expect that it will take to achieve it?

Mr. KERLIKOWSKA. One, I would tell you that going down to the border and spending a lot of time there, it is very helpful to get the feedback from trusted friends and colleagues whom I have worked with in law enforcement across that entire southwest border. So whether it was the former chief in Brownsville or whether it is the sheriff in El Paso or others, they give me a very realistic viewpoint of border security.

On top of that, we have lots and lots of technology and lots of metrics that the Border Patrol uses to look at what would be a secure border. A border that has lower risk? A border in which we use that technology, for instance, to take a look at where people are crossing?

I mean, as you well know, there are some very rugged parts of that border. And, actually, when we look to see if there are footprints or some attempt at tire tracks or discarded clothing or any of those kinds of things, and you realize that if you look at it day after day after day after day and you don't see any attempt or any information about somebody crossing, that gives the Border Patrol the opportunity to put their resources where it is more useful.

I think the general feeling from ranchers and others is that places like San Diego, El Paso, et cetera, that the resources that

are there from the Border Patrol have made a significant difference. The concern is in some of the more rural parts, and that is where the technology is, and the fencing, the fencing being put only in certain locations. All of those things.

I would be hesitant to tell you what I see. I see a much more secure and safe border now as a result of all of these things, including the support of Congress. But I would be hesitant to tell you what is going to happen. I mean, when we saw those kids last summer, people said: You have got a real border security issue. I didn't see it as a border security issue. I saw it as a border management issue. I mean, as you know, they came across and looked for someone in a green uniform. It wasn't somebody we were chasing through the cane fields.

#### CRIMINAL MISCONDUCT ALLEGATIONS

Ms. ROYBAL-ALLARD. Last September, Secretary Johnson delegated to CBP the authority to investigate allegations of criminal misconduct by CBP personnel because, as you know, there have been frustrations in the past that such allegations have not resulted in serious investigations or consequences.

Can you tell us what the status is of transitioning to this new authority, and how do you think the new authority will change the way allegations of criminal misconduct are treated?

Mr. KERLIKOWSKE. Well, I think the criminal misconduct issue has been, as we go back a number of Commissioners, and at the time that Customs and Border Protection was actually created—existing investigators, even though they were experienced and knowledgeable, were transferred to Immigration and Customs Enforcement. And therefore at first there was absolutely no or very limited internal affairs. Commissioner Basham later was able to get more people. But it had been turned down by other Secretaries.

So when I went to Secretary Johnson and said when I ran a police department I had internal affairs and I could be held very directly accountable for the levels of misconduct and corruption within the Seattle Police Department. Not having that authority and not having those resources was a significant concern to me. He agreed with me and authorized, and we have just now issued certification to, well over 100 internal affairs investigators to have criminal law enforcement authority. And we are continuing.

And we are very fortunate to have an advisory panel headed by Commissioner Bratton at the NYPD [New York City Police Department] and the former DEA [Drug Enforcement Administration] Administrator, Karen Tandy, and a number of others to give us advice on what else we should be doing.

I think we will be moving forward. Certainly the 100-plus that we have now is not going to be adequate for a workforce of 60,000. And as we work through this budget issue—and I know that the corruption issue is important to you—as we work through this budget issue, I would very much like to have some flexibility to be able to use some of our existing personnel in Customs and Border Protection and some of our Border Patrol agents who are knowledgeable, experienced investigators, to be able to move them into those anticorruption, misconduct investigating positions.

Ms. ROYBAL-ALLARD. Also the fiscal year 2015 House report directed CBP to provide regular updates on its transition under this new authority. When can we expect the first of those updates?

Mr. KERLIKOWSKE. I know that we had committed to, I think, quarterly updates on how this is progressing, the number of people whom we are bringing forward, I think. And I have seen a number of reports that are as close to being ready to release and to discuss with your staff as possible. So I would love to give you the particular date that those things are due.

But as I think and I hope that all of you and your staffs know, that any particular request, particularly when it comes to—I just can't think of a time in which law enforcement is under more scrutiny in this country at every level. It is important that we keep you informed.

#### BODY-WORN CAMERAS

Ms. ROYBAL-ALLARD. Let me just ask one more question, and that has to do with the findings of the evaluation of body-worn cameras by the Border Patrol.

Could you just tell us what the current status is of CBP's evaluation of the body-worn cameras and how the evaluation is going? And when do you anticipate it to be completed?

Mr. KERLIKOWSKE. So we purchased a number of body-worn cameras and then took them to New Mexico to the training center and let the people going through Border Patrol training try them out and experience them, and then to actually see what works and what doesn't work.

The second phase that we are in now is to move them to the field. Unlike a city police department, the environment that the Border Patrol agents work in is pretty rugged. So whether it is International Falls in Minnesota or Blaine in Washington State or Arizona or the Rio Grande Valley, these cameras have to have a level of technology that can be used in those really difficult environments. They are being tested in the field right now in these different locations.

Ms. ROYBAL-ALLARD. Okay. Thank you.

Mr. CARTER. Thank you, Ms. Roybal-Allard.

Just a quick aside comment on these body cameras, which I understand why the public is wanting them and looking at them. But from a standpoint of criminal justice system, it is going to create a chain of evidence situation that is going to be extremely expensive, because once that camera turns on, that is evidence that is available to the defense and the prosecution as to what happened at the scene of an incident.

The denying of that information to a defense attorney could probably end up in a reversal of a case. Therefore, that is going to have to be kept in the same chain of evidence which all evidence that is accumulated by any officer. If you put a camera on every police officer, every border patrolman, everybody that enforces the law in the United States, there is going to be a gigantic volume film library. Even digitalized, it is going to be extremely expensive. We are talking trillions of potential dollars in the United States every year.

I don't think anybody is talking about that, but some of us that have to sit through that chain of evidence testimony in the courtroom know that that is going to come down the line. I think as we think about all this, and I know the good we are trying to do, under our particular set of criminal laws and how we operate is going to be a big accumulation of information that is going to have to be stored someplace. Nobody has been talking about that, but I meant to mention that to lots of people because it is going to be very costly to store.

Mr. Culberson.

#### APPREHENSIONS: PROCESS

Mr. CULBERSON. You are bringing it up at the right time, Mr. Chairman. The CJS Subcommittee that I got the privilege of chairing, the White House has already asked about body cameras. And we getting requests from, of course, all over the country for body cameras.

And I asked the White House, if they would, to make the request in the form of—let state law control, when, where, how it is used and how the data is stored, and that the Federal Government will only be responsible for paying for the equipment itself and not the storage, for the exact problem you just mentioned, because of the cost. I can't even imagine how much data and how many servers and how much that cost is going to be. Just incalculable.

And they agreed to do so, which I appreciate. So you will shortly be seeing, I imagine, a press release from the White House saying that they have asked to create a body camera program that will follow those guidelines that I asked them to do, and I appreciate that very much, that the Department of Justice would follow our recommendation.

And that is that, again, the state law controls. So it will be when you are in a state, district judge or state authorities. The State legislature, in fact, in Texas right now is designing standards for when, where, and how those body cameras are to be used and how the data is going to be handled. But the Federal money will only go to actually buy the camera and not the data storage, not the service itself, because otherwise it would just eat us up.

And it will be in the form of a pilot program. But state law will control when it comes to those state officers.

Now, of course, Federal agents, obviously, that will be under Federal, that will be our responsibility at the Federal level. But as tight as money is, that is going to eat us up, the cost of those servers and the data storage and who gets access.

But if I could very quickly, Commissioner, to follow up on the questions I asked earlier—and I thank you for the time, Mr. Chairman—in my experience, I know in the judge's experience, I am not aware that 100 percent of the people intercepted by Border Patrol agents are processed. I am looking forward to going down to the border and confirming that now you have changed that.

So 100 percent of the people stopped by the Border Patrol, touched by an officer, are taken down to be processed. If that is the case, then, those 100 percent that are taken down to be processed, when they are processed, what happens to them, out of every 10?

Mr. KERLIKOWSKE. So they are processed as far as the biometrics. So fingerprints, photographs—

Mr. CULBERSON. Hundred percent of them are fingerprinted. Ten-printed.

Mr. KERLIKOWSKE. Yeah. They are ten-printed. When they get apprehended and placed into custody and brought to that Border Patrol station—

Mr. CULBERSON. Okay.

Mr. KERLIKOWSKE [continuing]. All of those biometrics. So that history, any identification, debriefing. We want to know who was the smuggler involved. I mean, sometimes they are more than willing to tell us. How did you get into the country? Those kinds of questions are asked, along with that biometric, facial, et cetera.

Then the decision is made as to whether or not they will be given that notice to appear, working in conjunction with ICE, or whether they will be detained or whether they will be sent back home.

Mr. CULBERSON. And out of every 10, what percentage, 3 out of 10 sent back, 4 out of 10 returned?

Mr. KERLIKOWSKE. They go to Immigration and Customs Enforcement after that. Immigration and Customs Enforcement would be the party that would provide that information.

Mr. CULBERSON. No, I mean, just out of curiosity, at a ballpark figure.

Mr. KERLIKOWSKE. Right.

Mr. CULBERSON. I am not asking you for hard and fast, but just based on your own experience and interaction with the officers and the sector chiefs, as you were just discussing, 3 out of 10, 4 out of 10 are sent back in another sector?

Mr. KERLIKOWSKE. When we return them back to Mexico, as we have discussed—When we return them back to Mexico, we attempt to turn them back at some place other than the place where they crossed.

Mr. CULBERSON. Right. What percentage are returned?

Mr. KERLIKOWSKE. And I don't know that percentage.

Mr. CULBERSON. Okay.

Mr. KERLIKOWSKE. I don't.

Mr. CULBERSON. What percentage are sent to ICE?

Mr. KERLIKOWSKE. We work with ICE, whether it is through a notice to appear or whether it is to be remanded to custody at an ICE detention facility. So ICE is the keeper of the detention facility after we have process them. So that is what happens.

Mr. CULBERSON. I appreciate your dilemma. You are a professional. You have served this country very, very well for many, many years. I understand your dilemma.

It is just something we have each got to personally bird dog, Mr. Chairman, down on the border.

Mr. KERLIKOWSKE. Thanks.

Mr. CARTER. You through?

Mr. CULBERSON. Yeah. Very frustrating.

Mr. CARTER. Mr. Price.

PRECLEARANCE: SECURITY ASPECTS

Mr. PRICE. Thank you, Mr. Chairman.

Commissioner, the chairman raised a number of questions I intended to raise about the preclearance operations for passengers at overseas airports.

Let me just ask you, though, to the extent you can in an unclassified session, reflect on the security aspects of this. The most obvious measurement is the one you hinted at, the number of people apprehended who wouldn't be admissible. Is that a factor at other airports besides Abu Dhabi? To what extent has that been an experience more widely? Of course, the other preclearance points are in very diverse areas. And what else would you say about the security aspect of this?

Mr. KERLIKOWSKIE. We have had preclearance in Canada for many, many years, and in other places. Those countries—I need to make sure, because I received this note—I need to make sure, they don't pay 85 percent of the salary and benefits. It is only the new ones coming online, for example, Abu Dhabi. And any new preclearance agreement they would continue to pay.

So I think that the dual security issue that is most helpful about preclearance is, one, there is a TSA representative also at that location. And so that person getting ready to board that flight goes through a TSA-like screening or analogous screening to what they would do if they were boarding a flight in the United States.

The second thing is, then they go through the customs system in the United States even though they are overseas. That information is run against a variety of databases that would lead to us making a determination as to whether or not we should tell that airline that if that person was to arrive in the United States, they would not be deemed admissible. The airline then has to make a decision, of course, as to whether or not to board them.

I think that that is an incredibly effective screening. It is pushing the borders out.

Mr. PRICE. And it also relieves the enforcement and probably the congestion burden at the U.S. end to the extent these problems are caught early and don't become a problem then at our border.

Mr. KERLIKOWSKIE. And when the person arrives, of course, they pick up their luggage and go, just as if they were on a domestic airline.

You know, the biggest complaint lately is when the people are waiting. They have already cleared customs, but they are waiting too long to get their baggage. But that is an airline issue.

#### SEQUESTRATION CONTINGENCY PLANNING

Mr. PRICE. Let me ask you to reflect on the sequestration experience and the ways we might avoid repeating that.

We are dealing in Appropriations subcommittees, all of them, with a degree of uncertainty this year as to what our ultimate allocation levels are going to be. We are initially, unfortunately, constrained to mark up to sequestration levels. That affects this subcommittee less than some others, given the allocations approved by the committee yesterday. But, nonetheless, it is constraining. And then we can hope for a budget agreement that prevents sequestration coming into effect.

So it is uncertain at what level you might have to deal with this, at what point and to what degree you might have to deal with this.

But I know it was a problem before for CBP with planning for more than \$700 million in reductions, reducing travel, training expenses, facilities upkeep, and so on, anticipating furloughs. So we hope to avoid this.

On the other hand, we are still talking about funding levels that are keyed to the unfortunate realities of the Budget Control Act and the fact that as a sign of the failure to address the real drivers of the deficit, namely tax expenditures and mandatory spending, as a result of that failure we are dealing with repeated reductions in appropriated spending and the reality of sequestration one way or another. Either we encounter the direct reality or we bake it into our appropriations numbers.

Anyway, I wonder if you could reflect on that and what kind of preparations, contingency planning it requires you to undertake at this point.

Mr. KERLIKOWSKE. When I came into this job, I certainly—and during the confirmation process—I knew the issues around security pretty well. Of course, you know that we are the second-largest revenue collector for the United States government after the IRS [Internal Revenue Service], and we have this huge economic footprint for trade and travel. Repeatedly, all of the groups that have talked to me from the private sector said: The one thing that we really need from CBP is consistency and predictability.

And of course we need that when it comes to a budget also. Some of our budget folks are sitting in the back. The amount of time and effort that is spent in preparing directives and memorandums and contingency planning for whether or not we will have a shutdown to whether or not we are going to have adequate resources is a huge amount of time, and I think that that creates some difficulties for us.

You know, I have lived, being a police chief, with city councils and mayors, and this is the budget; this is how you need to work within the chief financial constraints of that particular city. But it is that lack of predictability and understanding that, one, costs us a lot of time and planning; and, two, makes our relationship with the people that drive the economy of this Nation, the private-sector businesses, it makes our relationship a bit more difficult.

We have a federally advised committee, a federally approved advisory committee, some of the largest companies in the United States. And I meet with them four times per year, and I will have breakfast with them tomorrow. So traders, shippers, importers, exporters, on and on and on. These are important issues to them, and I know they are important issues to certainly the members of this subcommittee.

Mr. PRICE. Thank you.

Thank you, Mr. Chairman.

Mr. CARTER. Well, we are about to the last hour. I know that Lucille has one additional question she will ask, and I will recognize her for it.

#### COUNTER-NETWORK OPERATIONS

Ms. ROYBAL-ALLARD. As I mentioned earlier, I was able to visit CBP's National Targeting Center a few weeks ago where I had a very good briefing with the Deputy Commissioner and the NTC

staff. And I just want you to know that I was very, very impressed by what I saw and by NTC's capability to manage risk in both the passenger and the cargo environments.

Related to the NTC, we provided \$4.5 million in the fiscal year 2015 bill to help CBP establish a counter-network operations capability. Understanding that there may be limits as to how much you can say in an open hearing, what can you tell us about how CBP is using these funds? And also with regards to the fiscal year 2016 budget request for \$14.7 million for NTC's counter-network capability, how would these additional funds be used to further develop counter-network operations?

Mr. KERLIKOWSKIE. The feedback from our people at the targeting center is that they were unbelievably appreciative of your visit and your willingness to learn and understand what they were doing. And the targeting center for passengers and cargo has been in existence for awhile, but we really didn't have that comprehensive look at the use of a targeting center with multiple agencies to go after smuggling networks. So we can arrest the same 15- or 16-year-old 18 or 20 or more times for smuggling human beings across the border in Mexico, but the key is not to go after that 16-year-old who is doing it. The key is to go after that network.

And so whether it is people like, well, General McChrystal and Lieutenant General Flynn when they determined in order to break a network, you have to counter a network; all of this is based upon then technology and information. So being able to transmit information to our Federal counterparts and not have to do it on a phone call, but rather to do it, one, instantaneously and through a pipe, those are the kinds of things that that money is being spent on.

There are also some really good private-sector organizations that have been dealing with this and have been giving us some of this information. All of this I think really will go to support the Secretary's Southern Border and Approaches campaign, which is to knit together the Coast Guard, ICE, and CBP to go after the networks and to break the backs of these smuggling chains.

#### MIGRANT DEATHS: REDUCING AND PREVENTING

Ms. ROYBAL-ALLARD. Thank you.

Also the fiscal year 2015 report emphasized the importance of reducing and preventing the deaths of migrants crossing the southwest border in remote and inhospitable areas.

Have advancements in situational awareness in the geospatial intelligence areas of the border also improved your ability to detect those in distress in order to more quickly provide assistance? And is the Border Patrol working with civil society organizations to help reduce migrant deaths?

Mr. KERLIKOWSKIE. I have been at a number of those meetings with the Border Patrol and those nongovernmental organizations [NGOs] that provide the beacons or the alerts. I have met with a number and actually got to recognize and appreciate the work that our Border Patrol rescue people do, BORSTAR [Border Patrol's Search, Trauma, and Rescue]. They are tremendously helpful, the number of rescues and people. There are not more than 4 or 5 hours that go by that I don't get some message on a BlackBerry

about the work that they are doing. And I meet regularly with these nongovernmental organizations.

Crossing that border is incredibly dangerous. We have to get that message out repeatedly in a variety of ways. But people are still going to come to this country the same way and for the same reasons that lots of other people want to come to the country: Safety and security and economics and education opportunities for their children. And so they are going to make that dangerous journey. There shouldn't be a death penalty involved in attempting to make that journey, and the Border Patrol agents and the NGOs and the people whom I know and I have worked with are just as committed to saving life as to us enforcing the law.

Ms. ROYBAL-ALLARD. Okay. Thank you.

Mr. KERLIKOWSKE. Thank you.

#### UNITY OF EFFORT

Mr. CARTER. We have run out of time, but the Unity of Effort that Secretary Johnson proposed in 2014, is something I had a conversation with him about early on when he came onboard, and I support it wholeheartedly. I think it is a great use of resources. And I am assuming that CBP fits right in the middle of that package.

Mr. KERLIKOWSKE. That joint task force between Texas and California is headed by Robert Harris from the Border Patrol.

Mr. CARTER. Cutting through all these other questions as you look forward on this stuff, because I think it is going to be a good utilization of resources, I have always wondered why you only have limited resources? When you have a surge coming and you really need more planes, if there is a Coast Guard station right down the road, why can't they send you some folks up there to help you? We are all part of one Department. And, so, I am very supportive of this.

As you look down the road and then move along, what other spending issues might be coming up, when working with joint task forces, that come to your mind. Share that information with us, because we are going to be looking down the road at this joint task force work that is going to happen. I am sure there is going to be some costs involved. Some of them will be shared between the agencies, but some of it we will have to come up with. And so we would like to have your ideas because you are an important part of our decisionmaking.

That is all. Thank you very much. This has been a very good hearing, and we have enjoyed being with you. We will adjourn this one and get ready for the next one.

Mr. KERLIKOWSKE. Thank you, Chairman.

Mr. CARTER. Thank you.

QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE JOHN CARTER**

**R. Gil Kerlikowske, Commissioner, U.S. Customs and Border Protection**

Committee on Appropriations

Subcommittee on Homeland Security

FY 2016 U.S. Customs and Border Protection Budget Request

April 23, 2015

**Firearms Exporting**

Commissioner, last month CBP instituted a change in how legitimate travelers can export firearms for international hunting to address the potential for smuggling of weapons to certain countries. Part of the new requirement includes each hunter being forced to obtain an Employee Identification Number from the IRS...even though most of these people do not have employees or a business.

**Question:**

How will changing the status quo that has worked for years address valid security concerns? Won't smugglers just continue to attempt to sneak weapons into luggage and through existing airport security? Isn't this ignoring the problem and, in the process, punishing legitimate travelers?

**ANSWER:** While attempting to enforce an existing requirement under the International Traffic in Arms Regulation (ITAR), 22 CFR 123.17(c) (1), for permitting an outbound traveler to utilize the temporary export exemption to take firearms out of the United States, U.S. Customs and Border Protection (CBP), provided guidance to the public on utilizing the AESDirect system to comply with the regulation. Feedback provided by travelers and others indicated difficulties in complying with this regulation within the current system requirements and processes.

While reviewing alternatives to improve and streamline the current process, CBP will continue to follow the long-standing practice of issuing and certifying a Certificate of Registration (CBP Form 4457) to ensure that no traveler attempting to legally take their firearm out of the country experiences significant delays or incurs additional cost due to the implementation of a new regulation requiring an electronic filing.

When a traveler contacts CBP to report export of a firearm, CBP will provide a fact sheet about the regulation and how to comply. Additionally, CBP is working with our other government partners to make system changes to eliminate the need for submission of Employee

Identification Number (EIN) to automate the current paper process and to facilitate legitimate travelers with temporarily exporting and re-importing declared firearms and ammunition.

**Question:**

Once the automated system is introduced, what will happen to the electronic record that includes people's names and, potentially, the serial number of their weapon after they have returned to the country? Will any serial numbers be retained or will they be destroyed?

**ANSWER:** CBP is working to identify all of the system requirements, taking into account data retention requirements for firearms, to ensure that AESDirect will work as an automated solution in this case. CBP will follow all existing relevant laws and regulations in its processes and is currently working to identify what is needed to ensure that data captured for this process is properly identified and resolved.

**Reception and Representation**

**Question:**

How does CBP plan to utilize its reception and representation expenses in 2016? To date, how much has been spent in 2015 and what is the plan for the remainder of the fiscal year? Please provide details on each expenditure.

**ANSWER:** For the remainder of FY 2015 and FY 2016 CBP will focus on increased engagements in the Africa and Middle East regions essential in building new relationships, sustaining relationships with the Central and South American regions. Reception and representation funds will be used to support these engagements. Official Reception and Representation (ORR) Fund resources will be used only for official reception and representation functions associated with, and valuable to, the conduct of U.S. Customs and Border Protection (CBP) international and other related activities. The use of ORR Fund resources must reflect the highest standards of conduct and economy.

## FY 2015 Use of Representation Funds

Requesting Office	Date of Event	Description of Event	Cost of Event	Remaining Balance
				<b>\$34,425.00</b>
Office of International Affairs (INA)	17-Oct-14	Lunch for DHS-Tax Administration Service (SAT) bilateral Executive Steering Committee Meeting (ESC) - Mexico - hosted by C1 on October 17, 2014	\$630.00	\$33,795
INA	17-Oct-14	Dinner for DHS-Tax Administration Service (SAT) bilateral Executive Steering Committee Meeting (ESC) - Mexico - hosted by C1 on October 17, 2014	\$1,742.43	\$32,053
INA	12-Nov-14	The CBP Deputy Commissioner hosted the Deputy Director General of Migration Management, Republic of Turkey, with a delegation of 5 at the National Targeting Center on November 12, 2014.	\$75.00	\$31,978
INA	11-Dec-14	The law enforcement agencies in Canada and the U.S., CBP will co-sponsor an annual event at the U.S. Embassy in Ottawa, Canada on December 11, 2014. CBP is requesting \$500 to cover their portion for cost of food and beverage.	\$500.00	\$31,478
INA	18-Dec-14	On December 18, 2014, the Law Enforcement community at the U.S. Embassy in London is hosting a reception for counterpart law enforcement agencies. The reception is held at the United States Embassy Regal Eagle Bar. CBP-London is requesting \$100 to cover their portion for cost of food.	\$100.00	\$31,378
INA	17-Dec-14	DHS Holiday Party was hosted by DHS Headquarters that involved cost sharing by components	\$2,053.00	\$29,325
INA	9-Jan-15	The U.S. Law Enforcement Working Group (LEWG) Holiday Reception at the U.S. Embassy in Brussels on January 9, 2015.	\$500.00	\$28,825
INA	22-Jan-15	Refreshments for the German Deputy Chief of Mission to the United States and other officials from the Germany Embassy who are meeting with the Commissioner of	\$40.47	\$28,784

		CBP on January 22, 2015.			
Office of the Commissioner	15-Jan-15	Protocol Supplies used by the Commissioner and Deputy Commissioner's official meetings as defined in CBP Directive 1210-004C.	\$342.18		\$28,442
INA	27-Jan-15	Refreshments for the Director General of the National Crime Agency, the Director of Policing Command, and Senior Staffer from the United Kingdom who will sign a letter of intent to pursue an information sharing agreement MOU at a meeting with the Commissioner of CBP on January 27, 2015.	\$20.88		\$28,421
INA	24-Mar-15	On March 24, 2015, a B5 delegation consisting of customs administrators from Australia, Canada, New Zealand, United Kingdom, and the United States will visit the NTC with the Commissioner. Refreshments will be provided during the tour.	\$75.00		\$28,346
INA	1-Mar-15	On March 1-12, 2015, the CBP Commissioner will have numerous engagements with officials while on travel to Senegal, Tanzania, Morocco, and Kenya and reciprocal gifts are needed for his trip.	\$1,391.25		\$26,955
INA	10-Feb-15	On February 10, 2015, refreshments are needed for Swedish State Secretary Strenstrom of the Ministry of Enterprise, Energy and Communications meeting with Deputy Commissioner McAleenan regarding Preclearance.	\$9.77		\$26,945
INA	18-Feb-15	Refreshments for The Minister of Interior of United Arab Emirates (UAE) visit to the NTC and meetings at the Ronald Reagan Building with CBP officials on February 18-20, 2015.	\$148.18		\$26,797
INA	24-Feb-15	Refreshments for Deputy Commissioner's meeting with the Deputy Director of Operations for Europol along with three accompanied officials on February 24, 2015.	\$11.87		\$26,785

INA	6-Mar-15	On March 6, 2015, INA will host Iceland Delegation of 8 and 9 USGs at the National Targeting Center (NTC) and will provide refreshments and lunch due to the full schedule for the visit. The purpose of the visit is a high level bilateral engagement to work toward appropriate intelligence sharing to direct illicit transit travelers and foreign fighters bound for North America and the United States.	\$180.18	\$26,605
INA	23-Mar-15	On March 23, 2015, Commissioner Kerlikowske will host Mr. Heinz Zourek, Director General, Taxation and Customs Union, European Union (EU) for a dinner meeting to discuss T-Tip, joint operations, and other areas of mutual interest. The dinner will be held at the 701 Restaurant in Washington, DC	\$144.25	\$26,461
INA	23-Mar-15	On March 23, 2015, CBP/INA will host the B5 counterparts Centers for Excellence and Expertise (CEE) Tour in Washington, DC. There will be a working lunch for Commissioner Kerlikowske, AC Stallworth and 11 attendees.	\$159.33	\$26,301
INA	24-Mar-15	On March 24, 2015, CBP/INA will host the B5 counterparts Centers for Excellence and Expertise (CEE) Tour in Washington, DC. There will be a working breakfast for Commissioner Kerlikowske, AC Stallworth and 11 attendees.	\$50.00	\$26,251
INA	19-Mar-15	On March 19, 2015, Deputy Commissioner McAleenan will host the European Union Committee on Civil Liberties, Justice and Home Affairs at the NTC-P. There will be refreshments provided during the meeting.	\$71.56	\$26,180
INA	25-Mar-15	On March 25, 2015, INA will host the Minister of Interior of Bulgaria at the NTC-P for a briefing. The Minister will also sign a MOU with the Secretary of Dept. of Homeland Security. Refreshments will be provided for the meeting.	\$30.02	\$26,150

INA	8-Apr-15	On April 8, 2015, the CBP Deputy Commissioner will host members of the European Union Large-scale IT Systems Agency (LISA) at the National Targeting Center-Passenger. There will be a light breakfast served for 8 during their briefing.	\$31.81	\$26,118
INA	21-Apr-15	On April 21, 2015, the State Secretary of Finance for Germany and the Director General for Germany Customs will conduct a familiarization visit to U.S. Customs and Border Protection. Refreshments will be served for 6 attendees during the meeting with the Commissioner. Purchase small mementos to be used by International Affairs personnel during trips abroad and when international visitors are guests of U.S. Customs and Border Protection. The mementos will help foster good relations with CBP international counterparts.	\$23.34	\$26,094
INA	7-Apr-15	Purchase display items and tent rental for the Valor Memorial and Wreath Laying Ceremony to be held on May 13, 2015. This ceremony is held to commemorate those who have lost their lives in the line of duty over the past years.	\$2,375.50	\$23,719
Office of the Commissioner	13-May-15	On April 16, 2015, Deputy Commissioner, CBP meeting with Lieutenant General Johannes Leijtens, the Royal Netherlands Marechaussee (Knar) Commander in Chief. Refreshments will be provided for 5 delegations from the Netherlands, 10 CBP and 1 Dept. of State.	\$1,985.00	\$21,734
INA	16-Apr-15	Purchase of personalized plaques for Commissioner Kerlikowske to present to the Director General of Customs Senegal in recognition of his significant contributions for completion of the Senegal-United States Customs Mutual Assistance Agreement (CMAA).	\$31.36	\$21,703
INA	14-Apr-15	On April 21, 2015, Assistant Commissioner for INA will conduct a working lunch meeting with Mr. Rished Bade, Commissioner General, Tanzania Revenue Authority to discuss the signing of upcoming MOU.	\$359.00	\$21,344
INA	21-Apr-15		\$140.00	\$21,204

INA	1-May-15	Purchase 100 U.S. Customs and Border Protection coins for the Assistant Commissioner of the Office International Affairs to use during his trips abroad when hosting international visitors. Also, pens, boxes, and portfolios to hold signing documents for future CMAA signings.	\$1,391.50	\$19,812
INA	19-May-15	INA co-hosted a reception with refreshments during the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement (ICE) International Workshop held on May 19-21, 2015 in Crystal City, Virginia	\$3,100.00	\$16,712
INA	19-May-15	Refreshments during the U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE) International Workshop was held on May 19-21, 2015 in Crystal City, Virginia and signing of the Joint Work Plan toward Mutual Recognition for Authorized Economic Operator between the U.S. and the Dominican Republic.	\$75.93	\$16,636
INA	28-May-15	On May 28-29, 2015, the Commissioner of CBP conducted CMAA signing ceremonies and luncheon with officials in Costa Rica and Panama.	\$760.00	\$14,338
INA	15-May-15	Police support for the Commissioner's visit to Dakar, Senegal and meals for the officers involved in the visit. On June 10-13, 2015, the Commissioner will attend the 125th/126th Sessions of the World Customs Organization (WCO) Council and the Border Five Heads meeting in Brussels, Belgium. CBP is co-hosting the Compliance and Facilitation candidate reception during the Council Sessions. The reception for approximately 500 attendees will be held at the WCO Headquarters (Rue du Marche', 30 B-1210, Brussels, Belgium).	\$154.00	\$15,436
INA	10-Jun-15	On June 12, 2015, CBP Deputy Commissioner, Kevin McAleenan will meet with the New Zealand Minister of Customs to discuss a sense of the level of cooperation and resulting benefits in securing our borders, trade	\$2,800.00	\$12,636
INA	12-Jun-15		\$75.00	\$12,561

		supply chains, and travel corridors. Refreshments will be provided for the meeting.			
INA	4-May-15	On May 4, 2015, Commissioner Kerlikowske of U.S. Customs and Border Protection hosted a luncheon during his trip to Kenya for the Kenyan officials. The purpose of the luncheon was to discuss wildlife trafficking from the point of view of non-government organizations to become familiar with combating trafficking efforts outside of government agencies.	\$358.76		\$12,202
INA	5-May-15	On May 5, 2015, Commissioner Kerlikowske of U.S. Customs and Border Protection (CBP) hosted a luncheon during his trip to Tanzania for U.S. Embassy officials. The purpose of the luncheon was to discuss/brainstorm funding prospects for the canine program that CBP will be supporting and to review talking points for subsequent meetings with the Ministry of Transport, the Canine Announcement at the seaport in Dar es Salaam, and the MOU signing with the Tanzania Revenue Authority.	\$198.41		\$12,003
INA	4-Jun-15	Purchased gifts for gift exchanges with international VIPs during their visits to U.S. Customs and Border Protection (CBP) Headquarters and when CBP leadership travels overseas.	\$2,954.50		\$9,049
Total			\$25,089.48		\$9,335.52

**Hiring****Question:**

Please list the number, by office and pay grade level, of all CBP employees hired non-competitively in fiscal year 2014 and explain why this was necessary.

**ANSWER:**

<b>Office</b>	<b>Total Appointments</b>	<b>Grade</b>	<b>Appointments by Grade</b>
<b>Office of the Commissioner</b>	<b>28</b>	GS-15	2
		GS-14	1
		GS-11	1
		GS-7	1
		GS-5	1
		GS-3	19
		GS-2	3
<b>Office of Administration</b>	<b>4</b>	GS-13	1
		GS-9	2
		GS-2	1
<b>Office of Air and Marine</b>	<b>13</b>	GS-11	11
		GS-9	2
<b>Office of Border Patrol</b>	<b>18</b>	GS-6	8
		GS-5	9
		WG-10	1
		GS-11	4
<b>Office of Field Operations</b>	<b>14</b>	GS-9	3
		GS-7	2
		GS-6	1
		GS-5	2
		GS-4	1
		GS-3	1
		GS-9	3
<b>Office of Human Resources Management</b>	<b>10</b>	GS-7	5
		GS-6	1
		GS-3	1
		GS-15	1
<b>Office of Information and Technology</b>	<b>48</b>	GS-14	1
		GS-13	7
		GS-12	3
		GS-11	6
		GS-9	4
		GS-7	1
		GS-4	15
		GS-3	3
		GS-2	7
		<b>Office of Intelligence</b>	<b>7</b>
GS-9	3		
<b>Office of International Affairs</b>	<b>1</b>	GS-11	1
<b>Office of International Trade</b>	<b>6</b>	GS-13	1
		GS-11	2
		GS-9	1
		GS-7	2
<b>Office of Chief Counsel</b>	<b>3</b>	GS-11	2
		GS-2	1

U.S. Customs and Border Protection (CBP) used a variety of non-competitive hiring authorities to fill vacancies during FY 2014. The non-competitive appointments were used to supplement the competitive (external) hiring activity conducted under the Office of Personnel Management Delegated Examining hiring procedures.

CBP frequently used non-competitive veteran appointing authorities, the individuals with disabilities authority, and student appointing authorities in FY 2014. In addition, the Office of Information Technology (OPM) used the OPM authorized Direct-Hire Authority for the Information Technology Management (Information Security) position.

### Contracts

**Question:**

Please provide for the record, the number of noncompetitive contracts CBP has entered into in fiscal year 2014, what is anticipated in 2015 and 2016, and 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 approved listings.

**ANSWER:** CBP entered into 455 non-competitive awards in FY 2014. CBP does not enter into other transactional agreements and none of the non-competitive awards in FY 2014 were against a General Services Administration schedule. The reason a non-competitive contract was chosen, as cited in the Federal Procurement Data System-Next Generation (FPDS-NG), appears in the table below. While CBP continues to reduce the number of non-competitive awards issued, we anticipate the results for FY 2015 and FY 2016 will be similar, or down slightly.

<b>Reason Non-Competitive Contract Was Chosen</b>	<b>Total</b>
ONLY ONE SOURCE - OTHER	146
SAP NON-COMPETITION	121
AUTHORIZED BY STATUTE	108
UNIQUE SOURCE	40
BRAND NAME DESCRIPTION	8
URGENCY	8
FOLLOW-ON CONTRACT	7
PATENT/DATA RIGHTS	6
MOBILIZATION, ESSENTIAL R&D	4
MICRO PURCHASE THRESHOLD	3
AUTHORIZED RESALE	2
None Specified	2
<b>Grand Total</b>	<b>455</b>

**Question:**

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

**ANSWER:** As reported in the Federal Procurement Data System-Next Generation (FPDS-NG), in Fiscal Year 2014, CBP awarded \$1,244,665,978 or 62.64 percent of procurement dollars through competition, exceeding our Competition Goal of 61 percent.

**Question:**

Update and submit, through the most recent month available, the list provided in last year's hearing record regarding Sole Source Contracts. 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 chart beginning next page.

Sole Source Activity - From 06/01/14 thru 05/07/15  
 Data Source: FPDS-NG 05/07/15

Contractor	Purpose	Dollar Award	Full Performance Value	Contract Start Date	Contract End Date	Full Performance End Date	Reason for Sole Source	Contract Number
COMMERCIAL SERVICES INC	MAIL SUPPORT SERVICES INDIANAPOLIS IN	\$277,163.52	\$1,385,817.60	06/09/14	05/31/15	05/31/19	SAP NON-COMPETITION	HSBP1014C00023
GOOD-MEN ROOFING & CONSTRUCTION, INC.	FENCING INSTALLATION AT OBP NOGALES PROCESSING CENTER	\$250,365.11	\$250,365.11	06/10/14	09/30/14	09/30/14	AUTHORIZED BY STATUTE	HSBP1014C00031
PROFESSIONAL MANAGEMENT ENTERPRISES, INC	EXECUTIVE TRAINING & DEVELOPMENT CONSULTANT SERVICE	\$199,997.20	\$1,015,754.00	09/15/14	09/14/15	09/14/19	AUTHORIZED BY STATUTE	HSBP1014C00054
STRATEGIC OPERATIONAL SOLUTIONS INC.	PROGRAM MANAGEMENT SUPPORT SERVICES	\$914,201.86	\$3,834,134.60	09/30/14	09/29/15	09/29/19	AUTHORIZED BY STATUTE	HSBP1014C00055
CONSTELLATION INC.	PROGRAM MANAGEMENT SUPPORT SERVICES	\$2,221,159.00	\$3,992,826.40	09/30/14	09/30/15	09/30/17	AUTHORIZED BY STATUTE	HSBP1014C00067
NORTHERN CHEYENNE CONTRACTORS	ELECTRICAL REPLACEMENT: 778 W. WILD SAGEBRUSH, AJO, AZ	\$94,935.69	\$94,935.69	09/24/14	11/28/14	11/28/14	AUTHORIZED BY STATUTE	HSBP1014C00070

STRATEGIC OPERATIONAL SOLUTIONS INC.	ENTERPRISE AND TECHNICAL SUPPORT SERVICES	\$2,052,804.00	\$2,052,804.00	09/30/14	09/29/15	09/29/15	AUTHORIZED BY STATUTE	HSBP1014C00076
STRATEGIC OPERATIONAL SOLUTIONS INC.	RMC CONTRACTOR SUPPORT PROGRAM	\$742,694.00	\$2,272,941.00	09/30/14	09/29/15	09/29/15	AUTHORIZED BY STATUTE	HSBP1014C00077
STRATEGIC OPERATIONAL SOLUTIONS INC.	MANAGEMENT OPERATIONS SUPPORT SVCS	\$1,206,879.00	\$2,437,896.00	09/30/14	09/29/15	09/29/15	AUTHORIZED BY STATUTE	HSBP1014C00078
CENTRAL TEXAS EXPRESS METALWORK, LLC	TRANSPORTATION OF SEIZED VEHICLES	\$63,102.95	\$63,750.00	10/01/14	09/30/15	09/30/15	AUTHORIZED BY STATUTE	HSBP1014C00086
TRADE CENTER MANAGEMENT ASSOCIATES LLC	PARKING - RRB	\$90,480.00	\$500,000.00	01/01/15	12/31/15	12/31/19	ONLY ONE SOURCE - OTHER	HSBP1015C00004
<b>APPROPRIATION ACCOUNT (TREASURY ACCOUNT SYMBOL) 70 0531 - Automation Modernization, U.S. Customs and Border Protection, Homeland Security</b>								
SOFTWARE TECH ENTERPRISES INC	DAC TER SUPPORT SERVICES	\$1,389,929.60	\$3,357,234.44	08/01/14	07/31/15	12/31/16	FOLLOW-ON CONTRACT	HSBP1014C00036
SOFTWARE TECH ENTERPRISES INC	IT SECURITY SUPPORT SERVICES	\$415,296.00	\$1,737,465.60	12/23/14	12/22/15	12/22/18	FOLLOW-ON CONTRACT	HSBP1015C00006
SOFTWARE TECH ENTERPRISES INC	LIN SUPPORT SERVICES	\$674,361.60	\$2,821,286.40	12/23/14	12/22/15	12/22/18	FOLLOW-ON CONTRACT	HSBP1015C00007
<b>APPROPRIATION ACCOUNT (TREASURY ACCOUNT SYMBOL) 70 0532 - Construction and Facilities Management, U.S. Customs and Border</b>								

<b>Protection, Homeland Security</b>										
EAGLE HILL CONSULTING, LLC	FM&E EXECUTIVE SUPPORT SERVICES	\$1,537,338.64	\$3,105,425.12	08/19/14	07/31/15	07/31/16	AUTHORIZED BY STATUTE	HSBP1014C00037		
CENTRAL TEXAS EXPRESS METALWORK, LLC	SECURITY UPGRADE AT THE NATIONAL AIR SECURITY OPERATIONS CENTER (NASOC), CORPUS CHRISTI, TX	\$119,202.19	\$119,202.19	08/19/14	11/23/14	11/23/14	AUTHORIZED BY STATUTE	HSBP1014C00046		
CENTRAL TEXAS EXPRESS METALWORK, LLC	INSTALL HANGAR HEATERS	\$65,193.06	\$65,193.06	08/25/14	01/31/15	01/31/15	AUTHORIZED BY STATUTE	HSBP1014C00050		
PONCIANO CONSTRUCTION, INC.	BUILDING 1480 HVAC REPLACEMENT, SAN DIEGO AIR AND MARINE UNIT, NAS NORTH ISLAND	\$107,567.17	\$107,567.17	09/17/14	01/31/15	01/31/15	AUTHORIZED BY STATUTE	HSBP1014C00062		
APMI GROUP, INC.	MOVING SERVICE FOR INTRA-OFFICE/INTRA-BUILDING IN CAPITOL REGION	\$1,240,000.00	\$1,240,000.00	09/29/14	09/28/15	09/29/15	UNIQUE SOURCE	HSBP1014C00080		
<b>APPROPRIATION ACCOUNT (TREASURY ACCOUNT SYMBOL) 70 0533 - Border Security Fencing, Infrastructure, and Technology, U.S. Customs and Border Protection, Homeland Security</b>										
COPPER RIVER INFORMATION TECHNOLOGY,	SOFTWARE AND SUPPORT SVCS	\$110,692.37	\$110,692.37	07/03/14	07/03/15	07/03/17	UNIQUE SOURCE	HSBP1014C00039		

LLC													
CONSTELLATION INC.	JTR SUPPORT SERVICES	\$999,750.00	\$999,750.00	09/19/14	09/18/15	09/18/15	09/18/15	AUTHORIZED BY STATUTE	HSBP1014C00061				
VISION CONSTRUCTION COMPANY, INC.	LRT - Storm Sewer Outfall Gates	\$60,408.73	\$60,410.00	03/27/15	05/15/15	05/15/15	05/15/15	AUTHORIZED BY STATUTE	HSBP1015C00013				

**Question:**

Please provide for the record a list of all CBP 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:**

Data Source: FPDS-NG 05/07/15									
Contractor	Purpose	Dollar Value	Full Performance Value	Contract Start Date	Contract End Date	Est. Ultimate Completion Date	Contract Number	Principal Place of Performance	Country Name
DESIRE2LEARN INCORPORATED	TRAINING	\$350,890.00	\$450,179.00	08/28/14	09/29/15	09/29/16	HSBP1011F00618	CANADA	CANADA
VETERINAIRE KLINIEK WAYACA N.V.	VET SERVICES	\$37,956.20	\$50,000.00	01/24/14	11/30/14	11/30/15	HSBP1011P00102	ARUBA [NETHERLANDS]	ARUBA [NETHERLANDS]
FOREIGN CONTRACTOR (UNDISCLOSED)	CELLULAR PHONE SERVICE IN BERMUDA	\$26,500.00	\$26,500.00	11/06/14	09/30/15	09/30/15	HSBP1011P00175	BERMUDA [UNITED KINGDOM]	BERMUDA [UNITED KINGDOM]
MISCELLANEOUS FOREIGN CONTRACTORS	BOTTLED WATER	\$29,970.00	\$49,950.00	02/01/13	01/31/14	01/31/16	HSBP1011P00228	BAHAMAS,THE	BAHAMAS,THE
CMC ELECTRONIQUE INC	OAMP-3 NAV DATA BASE UPDATE FY2015	\$217,284.00	\$217,284.00	04/01/15	03/31/16	03/31/16	HSBP1011P00426	CANADA	CANADA
DOMESTIC AWARDEES (UNDISCLOSED)	OPTION YEAR 1 FOR PERSONAL SERVICES IN KUWAIT	\$282,639.83	\$427,236.37	09/20/13	09/19/14	09/19/15	HSBP1012C00097	KUWAIT	KUWAIT

WATERTON INTER-NATION SHORELINE CRUISE COMPANY LTD	FERRY TICKETS FROM BC CANADA TO U.S./MT	\$14,830.90	\$35,000.00	06/01/15	09/30/15	09/30/18	HSBP1014P00221	CANADA
MAGNET FORENSICS INC	MAGNETIC FORENSICS IEF SOFTWARE AND MAINTENANCE	\$6,522.00	\$6,522.00	07/01/14	06/30/15	06/30/15	HSBP1014P00414	CANADA
CLEVERBRIDGE, INC.	X-WAYS FORENSICS SOFTWARE 1- YEAR UPDATE MAINTENANCE	\$4,719.27	\$4,719.27	08/19/14	08/18/15	08/18/15	HSBP1014P00495	GERMANY
AMBASSADOR BUILDING MAINTENANCE LIMITED	JANITORIAL SERVICES SOFTWARE LICENSE	\$6,466.62	\$34,330.37	11/12/14	11/11/15	11/11/19	HSBP1015P00020	CANADA
SICS SWEDISH ICT AB HILL'S	MAINTENANCE CLEANING SERVICES	\$24,635.00	\$24,635.00	03/01/15	02/29/16	02/29/16	HSBP1015P00107	SWEDEN
CLEANING		\$4,965.24	\$25,223.88	03/01/15	02/29/16	02/29/20	HSBP1015P00117	CANADA

**Bonuses****Question:**

Please provide a table showing how much is requested in the 2016 budget for bonuses for CBP political employees, CBP SES employees, and CBP non-SES employees.

**ANSWER:**

**CBP FY 2016 Awards**  
Dollars in Thousands

Non-SES	SES	Political
\$48,126	\$896	\$0

The FY 2016 awards are estimated as 1.0 percent of estimated FY 2015 base salaries for CBP non-SES employees, and 5 percent of estimated FY 2015 base salaries for CBP SES employees. Historically, political appointees at CBP do not receive awards.

**Question:**

Please list all CBP SES bonuses provided in 2014 by position, office, and bonus amount.

**ANSWER:** Submitted to Congress separately due to a large amount of personally identifiable information.

**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 2014, 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:**



Number of Employees Awarded in FY 2014																
	Pay Grade 01	Pay Grade 02	Pay Grade 03	Pay Grade 04	Pay Grade 05	Pay Grade 06	Pay Grade 07	Pay Grade 08	Pay Grade 09	Pay Grade 10	Pay Grade 11	Pay Grade 12	Pay Grade 13	Pay Grade 14	Pay Grade 15	Grand Total
Office of Public Affairs											4	8	19	30	7	68
Office of Technology Innovation and Acquisition							1		3		10	17	13	58	21	123
Office of the Commissioner				2	1		4		4		5	21	24	41	19	121
Office of Training and Development																
<b>Grand Total</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>24</b>	<b>43</b>	<b>52</b>	<b>935</b>	<b>26</b>	<b>1,326</b>	<b>223</b>	<b>1,815</b>	<b>20,902</b>	<b>7,013</b>	<b>2,388</b>	<b>757</b>	<b>35,513</b>

FY 2014 Awards by Program Office and Grade (Grades 01-09)										
	Pay Grade 01	Pay Grade 02	Pay Grade 03	Pay Grade 04	Pay Grade 05	Pay Grade 06	Pay Grade 07	Pay Grade 08	Pay Grade 09	
Office of Air and Marine				\$200	\$1,100		\$3,200		\$8,309	
Office of Chief Counsel		\$250			\$93		\$2,549	\$1,950	\$3,175	
Office of Human Resources Management					\$335	\$670	\$10,170	\$2,307	\$5,885	
Office of Internal Affairs							\$500		\$2,949	
Office of Administration					\$325	\$325	\$55,800	\$650	\$20,375	
Office of Border Patrol			\$700		\$4,300	\$19,200	\$73,479	\$4,500	\$332,595	
Office of Congressional Affairs										
Office of Field Operations		\$940	\$1,190	\$3,382	\$14,341	\$11,138	\$602,073	\$1,511	\$869,816	
Office of Information & Technology	\$634	\$951	\$3,170	\$11,023	\$4,438	\$1,451	\$6,657		\$18,912	
Office of Intelligence and Investigative Liaison									\$2,200	
Office of International Affairs		\$530		\$353	\$1,060		\$353		\$353	
Office of International Trade				\$489		\$2,040	\$7,669	\$1,400	\$14,990	
Office of Public Affairs										
Office of Technology Innovation and Acquisition							\$551		\$3,031	
Office of the Commissioner				\$518	\$1,500		\$1,985		\$2,146	
Office of Training and Development					\$250	\$3,630	\$4,950		\$12,276	
<b>Grand Total</b>	<b>\$634</b>	<b>\$2,671</b>	<b>\$4,360</b>	<b>\$16,665</b>	<b>\$27,742</b>	<b>\$38,454</b>	<b>\$769,936</b>	<b>\$12,318</b>	<b>\$1,297,012</b>	

FY 2014 Awards by Program Office and Grade (Grades 10-15 and Total)							
	Pay Grade 10	Pay Grade 11	Pay Grade 12	Pay Grade 13	Pay Grade 14	Pay Grade 15	Grand Total
Office of Air and Marine Office of Chief Counsel		\$19,442 \$2,500	\$185,243 \$4,650	\$364,194 \$17,325	\$231,215 \$63,022	\$101,967 \$94,625	\$914,870 \$190,139
Office of Human Resources Management		\$14,395	\$48,400	\$69,325	\$92,645	\$50,195	\$294,327
Office of Internal Affairs		\$7,783	\$39,352	\$76,829	\$183,362	\$78,500	\$389,275
Office of Administration	\$22,744	\$4,875	\$101,700	\$111,223	\$111,085	\$119,315	\$548,417
Office of Border Patrol	\$184,522	\$396,192	\$4,552,304	\$3,183,377	\$952,597	\$242,400	\$9,946,166
Office of Congressional Affairs		\$600	\$1,850	\$2,500	\$2,450	\$1,250	\$8,650
Office of Field Operations		\$1,379,754	\$24,669,611	\$5,005,204	\$831,496	\$349,829	\$33,740,285
Office of Information & Technology		\$52,102	\$435,130	\$297,426	\$241,093	\$119,519	\$1,192,506
Office of Intelligence		\$4,600	\$10,700	\$41,135	\$74,220	\$21,635	\$154,490
Office of International Affairs		\$1,943	\$7,667	\$13,803	\$46,651	\$38,292	\$111,005
Office of International Trade		\$14,737	\$121,072	\$174,751	\$162,860	\$57,490	\$557,498
Office of Public Affairs		\$1,778	\$5,580	\$17,430	\$21,820	\$10,900	\$57,508
Office of Technology Innovation and Acquisition		\$4,956	\$9,741	\$8,364	\$52,802	\$24,367	\$103,812
Office of the Commissioner		\$2,258	\$14,865	\$24,952	\$48,430	\$31,859	\$128,513
Office of Training and	\$3,960	\$12,036	\$17,530	\$140,121	\$89,785	\$23,500	\$308,038

FY 2014 Awards by Program Office and Grade (Grades 01-09)									
	Pay Grade 01	Pay Grade 02	Pay Grade 03	Pay Grade 04	Pay Grade 05	Pay Grade 06	Pay Grade 07	Pay Grade 08	Pay Grade 09
Development									
Grand Total	\$211,226	\$1,919,951	\$30,225,395	\$9,547,959	\$3,205,533	\$1,365,643	\$48,645,499		

TOTAL NON-SES EMPLOYEES ONBOARD AS OF 10.4.14 (END OF FY14)																
	Pay Grade 01	Pay Grade 02	Pay Grade 03	Pay Grade 04	Pay Grade 05	Pay Grade 06	Pay Grade 07	Pay Grade 08	Pay Grade 09	Pay Grade 10	Pay Grade 11	Pay Grade 12	Pay Grade 13	Pay Grade 14	Pay Grade 15	Grand Total
Office of Administration		1	1	2	3	85	11	51	133	13	170	268	185	89	1,012	
Office of Air and Marine			2	1		9		38		64	508	707	288	55	1,672	
Office of Border Patrol		6	172	263	507	18	702	335	1,138	15,089	3,381	606	105	22,322		
Office of Congressional Affairs								3		1	4	3	6	1	18	
Office of Field Operations	1	1	11	13	386	21	1,861	6	1,221	2,122	17,793	4,206	677	186	28,505	
Human Resources Management					8	5	53	11	27	36	112	141	98	30	522	
Office of Information & Technology		10	11	35	9	3	25		37	163	854	605	402	108	2,262	
Office of Intelligence							1		9	16	16	106	111	18	277	
Office of Internal Affairs		1	2	2	2	1	1	3	8	11	83	141	292	35	579	
Office of International Affairs			2	3			4		2	4	8	31	77	37	168	
Office of International Trade			3	1	1	1	9	6	21	30	220	295	232	50	868	
Office of Public Affairs					2		2		1	10	18	22	22	8	85	
Office of Technology Innovation and							24				8	20	21	78	23	153



Travel**Question:**

Please provide for the record a table that shows all funds expended by CBP political employees for travel in 2014. Include name of individual traveling, purpose of travel, location(s) visited, and total cost.

**ANSWER:**

TRAVELER NAME	LOCATION OF TRAVEL	PURPOSE	COST
MICHAEL J YEAGER	EL PASO, TX	DOMESTIC TRAVEL AC Yeager is attending a Border Legislators Conference.	\$999.57
MARIA LUISA BOYCE	MIAMI, FL	DOMESTIC TRAVEL Traveling to Miami to attend KPMG 2014 U.S. Cross-Border Tax Conference. Mrs. Boyce is a speaker at the conference.	\$717.76
	MIAMI, FL ORLANDO, FL	DOMESTIC TRAVEL Traveling to Miami to host the COAC meeting for CBP.	\$837.74
	MINNEAPOLIS, MN	DOMESTIC TRAVEL Traveling with C2 to Minneapolis to attend the AAEI Conference and Exposition.	\$535.84
	MEXICO CITY, D.F., MEX	CONFERENCE -NON-TRG Traveling to Mexico City to attend the NASCO conference.	\$2,224.75
BENJAMIN A ROHRBAUGH	MIAMI, FL	DOMESTIC TRAVEL Participate in the border tour with ICE Director.	\$941.61
	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Accompany C1 to Participate in U.S. Mexico Customs Steering Committee.	\$1,581.42
	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Accompany Deputy Commissioner to Meetings in Mexico.	\$1,338.06
	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Travel with the Commissioner to Mexico to meet with foreign dignitaries.	\$2,364.90
	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Assist the Commissioner during his meetings with the Mexican delegation.	\$1,831.76
	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Meeting w/Mexican Delegation Use of Force, attend Graduation.	\$2,427.87
	OTTAWA, CAN	OC FOREIGN NON-OPS Meetings on Beyond the Border.	\$1,405.22
KIMBERLY ANN O'CONNOR	PHILADELPHIA, PA	DOMESTIC TRAVEL Accompany C1 to Speaking Engagement in Philadelphia.	\$665.19
	BOSTON, MA	DOMESTIC TRAVEL Accompany C1 to AMOC Conference and Connect Conference.	\$526.64

	LOS ANGELES, CA SAN DIEGO, CA MCALLEN, TX	DOMESTIC TRAVEL Tour CBP and ICE facilities and conduct meeting with local stakeholders with the Deputy Attorney General and the ICE Director.	\$2,034.78
	MIAMI, FL KEY WEST, FL	DOMESTIC TRAVEL DHS and CBP site visit with the Deputy Secretary.	\$2,314.54
	DUBLIN, IRL	OC FOREIGN NON-OPS Accompany C1 Policy Commission 70th Session in Dublin.	\$3,172.22
	BROWNSVILLE, TX	DOMESTIC TRAVEL Accompany S1 and C1 to Fallen CBP Officer Ceremony.	\$76.17
	LOS ANGELES, CA	DOMESTIC TRAVEL Accompany C1 to LAX.	\$1,247.81
	BUFFALO, NY	DOMESTIC TRAVEL Traveled with Deputy Secretary to Buffalo for Launch of Pre-Inspection Pilot.	\$1,318.21
	TUCSON, AZ PHOENIX, AZ MCALLEN, TX	DOMESTIC TRAVEL Traveled with the Deputy Secretary to Tucson, Phoenix, and McAllen to meet with employees, conduct site visits and attend the Border Security expo.	\$2,681.59
	LIMA, PER	OC FOREIGN NON-OPS Assist the commissioner during his meetings and WCO Conference.	\$2,539.06
	DETROIT, MI	DOMESTIC TRAVEL Joint the Secretary and Commissioner during site visits and local stakeholder meetings.	\$76.17
	TUCSON, AZ DOHA, QAT ABU DHABI, ARE DUBAI, ARE LONDON, GBR	OC FOREIGN NON-OPS Assist the Commissioner during foreign delegation meetings.	\$8,282.80
	BRUSSELS, BEL	OC FOREIGN NON-OPS Assist the Commissioner during the WCO and foreign delegation meetings.	\$4,265.35
SIGRID GONZALEZ	LOS ANGELES, CA	DOMESTIC TRAVEL Assisting Department with advance assignments.	\$2,089.23
	MCALLEN, TX	DOMESTIC TRAVEL Accompany S1 and CBP to Meetings held in McAllen, TX.	\$1,069.59
	MCALLEN, TX SAN ANTONIO, TX BROWNSVILLE, TX	DOMESTIC TRAVEL Facilities visit w/ Dignitaries for CBP in McAllen, San Antonio, and Brownsville.	\$3,259.17
TAM VIETH	TAMPA, FL ORLANDO, FL	DOMESTIC TRAVEL Visiting OIT NLECC and Hi-Tech facilities in Orlando.	\$283.15
	NEW ORLEANS, LA	DOMESTIC TRAVEL Attend DFO Conference.	\$1,154.92
BENJAMIN E WEBB	MCALLEN, TX	DOMESTIC TRAVEL Staff Delegation Visit.	\$1,596.92
	YUMA, AZ TUCSON, AZ	DOMESTIC TRAVEL To better understand USBP Operations by accompanying	\$3,449.44

	SAN DIEGO, CA	Chief Fisher and to visit JFC to provide planning expertise at the request of BPs field POC.	
	LOS ANGELES, CA	DOMESTIC TRAVEL Visiting the Los Angeles Field office and AMOC.	\$1,334.92
	TAMPA, FL	DOMESTIC TRAVEL Visiting the FBI-LEEDA Conference.	\$1,016.61
	ACCRA, GHA	INA FOREIGN OPS To contribute to the CBP West African Cooperative Security Initiative Women's Leadership Training.	\$5,713.48
	MCALLEN, TX LAREDO, TX	DOMESTIC TRAVEL Trip to visit field offices.	\$1,682.35
R GIL KERLIKOWSKE	TUCSON, AZ PHOENIX, AZ MCALLEN, TX	DOMESTIC TRAVEL Traveled with Deputy Secretary to field locations and speak at the border security expo, as well as visit field locations in McAllen.	\$3,473.67
	LAS VEGAS, NV MEXICO CITY, MEX	OC FOREIGN NON-OPS NCBFAA Conference in Nevada, and meet with members of foreign delegation in Mexico.	\$3,153.52
	LOS ANGELES, CA SAN DIEGO, CA	DOMESTIC TRAVEL Meet with individuals, local stakeholders and meet with employees.	\$1,943.02
	LIMA, PER PANAMA CITY, PAN MADRID, ESP	OC FOREIGN NON-OPS Attend and speak at the WCO in Peru, AEO Conference in Spain and meet with employees and conduct site visits in Panama.	\$7,923.17
	CHICAGO, IL	DOMESTIC TRAVEL Conduct site visits and meet with local stakeholders.	\$497.85
	DETROIT, MI	DOMESTIC TRAVEL Conduct site visits and meet with local stakeholders.	\$76.17
	TAMPA, FL	DOMESTIC TRAVEL Participate in Leadership Meeting SOCOM C2OC.	\$221.55
	DETROIT, MI	DOMESTIC TRAVEL Meet with local stakeholders and conduct site visits.	\$489.60
	SAN JUAN, PR MIAMI, FL	DOMESTIC TRAVEL Conduct site visits in Puerto Rico and Miami as well as speak at the COAC event.	\$1,475.30
	SEATTLE, WA SAN FRANCISCO, CA MCALLEN, TX	DOMESTIC TRAVEL Meet with Staff in Seattle and speak at the PERF conference. Line of Duty Death.	\$1,691.07
	BURLINGTON, VT	DOMESTIC TRAVEL Conduct meetings with ICE/CBP and site visits.	\$1,020.24
	TUSCON, AZ DOHA, QAT ABU DHABI, ARE DUBAI, ARE LONDON, GBR	OC FOREIGN NON-OPS Join the Secretary during delegation meetings.	\$8,335.38
	ROSWELL, NM BRUSSELS, BEL	OC FOREIGN NON-OPS Attend the WCO Council meetings and meet with foreign delegates.	\$4,527.28
	BOSTON, MA	DOMESTIC TRAVEL	\$1,111.05

	DALLAS, TX ROSWELL, NM	National Sheriffs Association Conference Mayors and Border Patrol Chief Conference.	
	MARTHAS VINEYARD, MA BOSTON, MA	DOMESTIC TRAVEL	\$311.79
	MCALLEN, TX LAREDO, TX DALLAS, TX	DOMESTIC TRAVEL Conduct Press conferences in McAllen and Laredo.	\$1,409.09
	MCALLEN, TX LAREDO, TX	DOMESTIC TRAVEL Meet with members of congressional delegations.	\$819.29
	VANCOUVER, CAN	OC FOREIGN NON-OPS Speak at the Pacific Northwest Economic Region Summit and meet w/ dignitaries.	\$1,275.19
	CHICAGO, IL MEXICO CITY, D.F., MEX MCALLEN, TX	OC FOREIGN NON-OPS Speak at the DFO Leadership Meeting in Chicago, IL and then meet with Mexico dignitaries in Mexico City.	\$3,279.80
	NEW YORK CITY, NY DETROIT, MI SAN DIEGO, CA	DOMESTIC TRAVEL Speak at the OFO- NY 225th Anniversary Event, Office of Chief Counsel Leadership meeting and the IA/FBI gateway conf.	\$1,895.05
	BUFFALO, NY NEW YORK CITY, NY	DOMESTIC TRAVEL Meetings and site visits Peace Bridge.	\$1,320.73
	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Meetings In Mexico.	\$2,424.55
	EL PASO, TX SAN ANTONIO, TX	DOMESTIC TRAVEL Speaking Engagements.	\$1,172.22
	OTTAWA, CAN	OC FOREIGN OPS Beyond the Border Executive Meeting.	\$1,329.06
	ATLANTA, GA	DOMESTIC TRAVEL Meeting with Officials in Atlanta.	\$424.25
	SAN ANGELO, TX DETROIT, MI SEATTLE, WA	DOMESTIC TRAVEL Speaker at Foreign Trade Zones, North America Perimeter Security and Senior Leadership Air and Marine Meeting.	\$3,217.64
RENE NICOLE HANNA	MEXICO CITY, D.F., MEX	OC FOREIGN NON-OPS Travel with the Commissioner to Mexico, meet w/ members of foreign delegation.	\$2,471.93
	PANAMA CITY, PAN MADRID, ESP	OC FOREIGN NON-OPS Assist the commissioner during the AEO Conference in Spain and meetings in Panama.	\$5,217.44
	LOS ANGELES, CA SAN DIEGO, CA	DOMESTIC TRAVEL Assist the Commissioner during his meetings in LA and San Diego.	\$2,534.78
	HOUSTON, TX MCALLEN, TX DALLAS, TX	DOMESTIC TRAVEL Attend Meetings in McAllen, TX.	\$1,995.90
	SAN JUAN, PR	DOMESTIC TRAVEL Accompany the commissioner during site visits in Puerto Rico.	\$849.99

	LONG BEACH, CA SAN FRANCISCO, CA	DOMESTIC TRAVEL Assist the Commissioner during his trip to San Francisco.	\$1,563.28
	ROSWELL, NM	DOMESTIC TRAVEL Assist the Commissioner during his meetings at the Artesia Academy.	\$1,459.70
	MCALLEN, TX LAREDO, TX DALLAS, TX	DOMESTIC TRAVEL Assist the Commissioner during press events.	\$1,379.09
	MCALLEN, TX LAREDO, TX	DOMESTIC TRAVEL Assist the Commissioner during his CODEL site visits.	\$946.84
	MCALLEN, TX	DOMESTIC TRAVEL Join the commissioner and members of the CODEL to McAllen to tour the UAC.	\$236.68
	SAN DIEGO, CA	DOMESTIC TRAVEL Assist the commissioner during his meetings and conference attendance.	\$1,665.90
PATRICK R SCHMIDT	LAS VEGAS, NV	DOMESTIC TRAVEL Accompany C1 to NCBFFA Conference.	\$1,084.62
	SAN DIEGO, CA	DOMESTIC TRAVEL Meet w/CBP Officials in San Diego, CA.	\$645.21
	MIAMI, FL	DOMESTIC TRAVEL Assist the Commissioner during the COAC and site visits in Miami.	\$1,084.48
	DETROIT, MI	DOMESTIC TRAVEL Assist the Commissioner during meetings with local stakeholders and site visits.	\$452.60
	SAN FRANCISCO, CA	DOMESTIC TRAVEL Join the commissioner on site visits, and the PERF conference.	\$1,819.26
	MINNEAPOLIS, MN	DOMESTIC TRAVEL Assist the Deputy Commissioner during the AAEI remarks and site visits.	\$854.85
	VANCOUVER, CAN	OC FOREIGN NON-OPS Assist the Commissioner during the PNWER Summit and his meetings with dignitaries.	\$1,288.93
	EL PASO, TX SAN ANTONIO, TX	DOMESTIC TRAVEL Accompany C1 Speaking Engagements El Paso and San Antonio.	\$1,233.22
	SAN ANGELO, TX DETROIT, MI SEATTLE, WA	DOMESTIC TRAVEL Accompany C1 Funeral BP Agent Mtg Detroit and Seattle.	\$4,123.07
MELANIE N ROE		LOCAL TRAVEL	\$131.00

**Unobligated Balances**

**Question:**

Please provide unobligated balances within CBP, by appropriation account, and when you anticipate that they will be expended.

**ANSWER:**

Construction & Facilities Management  
Obligation of FY 2015 Carryover in FY 2016  
(\$ in Millions)

Treasury Account Symbol	FY 2015 Carryover Estimate (\$ in Millions)	PPA	FY 2016 Q1	FY 2016 Q2	FY 2016 Q3	FY 2016 Q4	Justification
70X0532	\$2.50	N/A	\$1.88	\$0.63	\$0.00	\$0.00	Estimated Carryover into FY16: \$2.5M Increased materials cost, estimates, and in scope changes for ongoing construction and alterations projects scheduled for completion in FY16; emergency repairs such as electrical circuits, security systems, water mains, and roofs; critical life/safety issues including addressing insufficient physical security issues, mold remediation, and repairing workplace safety hazards; contract adjustments
70X0532	\$3.90	Facilities Construction & Sustainment	\$2.93	\$0.98	\$0.00	\$0.00	Estimated Carryover into FY16: \$3.9M Increased materials cost, estimates, and in scope changes for ongoing construction and alterations projects; fixtures, furniture, and equipment (FF&E) for construction as electrical circuits, security systems, water mains, and roofs; critical life/safety issues including addressing insufficient physical security issues, mold remediation, and repairing workplace safety hazards; contract adjustments
70X0532	\$0.00	Program Oversight & Management	\$0.00	\$0.00	\$0.00	\$0.00	Estimated Carryover into FY16: \$0M OA-PM&E anticipates obligating all no-year PO&M by Sept. 25
7012/160532	\$2.10	Facilities Construction & Sustainment	\$1.58	\$0.53	\$0.00	\$0.00	Estimated Carryover into FY16: \$2.1M Increased materials cost, estimates, and in scope changes for ongoing construction and alterations projects; fixtures, furniture, and equipment (FF&E) for construction and alterations projects scheduled for completion in FY16; emergency repairs such as electrical circuits, security systems, water mains, and roofs; critical life/safety issues including addressing insufficient physical security issues, mold remediation, and repairing workplace safety hazards; contract adjustments
7012/160532	\$0.50	Program Oversight & Management	\$0.38	\$0.13	\$0.00	\$0.00	Estimated Carryover into FY16: \$0.5M Enhancements to TRIRIGA; energy and environmental initiatives; mobile-work related equipment refreshes; program management efficiencies
7013/170532	\$3.10	Facilities	\$2.33	\$0.78	\$0.00	\$0.00	Estimated Carryover into FY16: \$3.1M





BSFII  
 Obligation of FY 2015 Carryover in FY 2016 & FY 2017  
 (\$ in Millions)

Treasury Account Symbol	FY 2015 Carryover Estimate (\$ in Millions)	PPA	FY 2016 Q1	FY 2016 Q2	FY 2016 Q3	FY 2016 Q4	FY 2017 Q1	FY 2017 Q3	FY 2017 Q4	Justification
70141160533	\$18.26	Operations & Maint	\$1.56	\$2.10	\$12.20	\$2.30	\$0.00	\$0.00	\$0.00	<b>Mobile Surveillance Systems (MSS)</b> - truck replacements, maintenance. <b>Remote Video Surveillance System (RVSS) Upgrade</b> - Tucson Sector - Operator training, maintenance contracts, Network and Security Operations Center (NOC/SOC) operation and maintenance, emerging requirements <b>Mobile surveillance Capability (MSC)</b> - maintenance/sustainment <b>Future Adjustments</b> - set aside for contract adjustments/urgent requirements
70141160533	\$24.60	Dev. & Deployment	\$2.20	\$7.00	\$13.20	\$2.20	\$0.00	\$0.00	\$0.00	<b>Integrated Fixed Tower (IFT)</b> - Tohono O'odham Nation (TON) deployment efforts, <b>Tactical Communications (TACCOM)</b> - Internet Protocol Core Solution, test lab, Cross Border Security Communications Network (CBSCN)/Canadian US (CANUS) Law Enforcement Communications Interoperability (LECI), <b>Remote Video Surveillance System (RVSS) Upgrade</b> - Tucson Sector <b>New and Emerging Technology (NET)</b> program support contracts <b>Northern Border Programs (WAVI, MDP, MSR)</b> - upgrades <b>Future Adjustments</b> - set aside for contract adjustments/urgent requirements
70X0533	\$5.50	Operations & Maint	\$0.44	\$1.71	\$0.33	\$1.71	\$0.11	\$0.06	\$1.10	<b>Tactical Infrastructure (TI)</b> -RVSS tower maintenance and repair, other maintenance contracts <b>Integrated Logistics Support</b> - maintenance contracts <b>Pending approval of unfunded urgent/priority CBP requirements (UFRs)</b> currently being reviewed include Aerostats, TARS, NET ) <b>Future Adjustments</b> - set aside for contract adjustments/urgent requirements.

70X0533	\$117.80	Dev & Deployment	\$7.07	\$18.85	\$11.78	\$25.92	\$19.05	\$17.67	\$3.53	\$13.93	<p><b>RVSS - Arizona/Rio Grande Valley</b>          deployments - contract modifications, training, NOC/SOC, deployment (designs, reviews, construction) emerging requirements  <b>IFT - Deployment costs (design, review, construction, travel) for TON/next AOR,</b>          emerging requirements  <b>Pending approval of unfunded urgent/priority CBP requirements (UFRs)</b>          currently being reviewed include several pilot programs, Northern Border projects, mobile agent studies, assessments, AoAs)  <b>Future Adjustments - set aside for contract adjustments/urgent requirements</b>  <b>Ultra-light Aircraft Detection (ULAD) -</b>          procurement of additional units  <b>MSC - contract claim</b></p>
7015170533	\$79.46	Operations & Maint	\$6.00	\$21.30	\$8.70	\$5.00	\$18.90	\$8.10	\$10.50	\$0.96	<p><b>Agent Portable Surveillance Systems (APSS)</b>          - maintenance/travel, tablet replacements  <b>Northern Border Programs maintenance</b>          contracts, travel  <b>Block 1 - maintenance and travel</b>  <b>IFT - AOR maintenance</b>  <b>MSC - spares, travel, repair/maintenance,</b>          emerging requirements,  <b>MSS - maintenance/sustainment contracts</b>  <b>Mobile Video Surveillance Systems (MVSS) -</b>          maintenance/sustainment contracts of procured units  <b>Northern Border Remote Video Surveillance (RVSS) -</b>maintenance/sustainment contracts  <b>RYSS -</b>maintenance/sustainment contracts  <b>TACCOM -</b>maintenance/sustainment contracts  <b>TARS -</b> maintenance/sustainment contracts  <b>TI -</b> maintenance/sustainment contracts  <b>ULAD -</b> maintenance/sustainment contracts</p>

7015170533	\$90.30	Dev & Deployment	\$2.00	\$21.00	\$24.00	\$4.30	\$34.00	\$2.00	\$1.50	\$1.50	\$1.50
<b>Total</b>	<b>\$335.92</b>		<b>\$19.27</b>	<b>\$71.95</b>	<b>\$70.31</b>	<b>\$41.42</b>	<b>\$72.06</b>	<b>\$27.83</b>	<b>\$15.59</b>	<b>\$17.48</b>	

Unattended Ground Sensor (UGS) - procurement  
 RYSS - deployment preparation and planning for Laredo, Remote Video Surveillance continued deployment to Arizona and RGV AORs,  
 Mobile Video Surveillance Systems (MVSS) - Procurement of MVSS for sectors RGV, Laredo, Del Rio, Big Bend  
 Future Adjustments - set aside for contract adjustments/urgent requirements

Air & Marine  
Obligation of FY 2015 Carryover in FY 2016  
(\$ in Millions)

Treasury Account Symbol	PPA	FY 2015 Carryover Estimate (\$ in millions)	FY 2016 Q1	FY 2016 Q2	FY 2016 Q3	FY 2016 Q4	Justification
544	O&M	\$2.00	\$2.00				Estimated carryover into FY 16: \$2M increased maintenance/fuel costs, emergency repairs, contract adjustments, and unplanned surge operations.
7014/160544	Procurement	\$2.65	\$1.60		\$1.10		Estimated carryover into FY 16: \$2.650M for Marine Vessels. The Coastal Interceptor Vessel (CIV) contract is expected to be awarded during the 3rd quarter of FY15. The plan is to obligate an estimated \$800,000 for the prototype vessel. Once the prototype vessel has passed all reviews, along with Operational Test & Evaluation (OT&E), the plan is to obligate \$2.650M during FY16 for additional vessels.
7015/170544	O&M	\$5.00	\$5.00				Estimated carryover into FY 16: \$5M increased maintenance/fuel costs, emergency repairs, contract adjustments, and unplanned surge operations.
7015/170544	Procurement	-					Estimated carryover into FY 16: \$0. At this point in time, OAM plans to obligate the entire Procurement Account budget of \$53M. Current status as of 6/16/2015: \$43.4M obligated; \$9.6M to be obligated.
70X0544	O&M	\$5.00	\$5.00				Estimated carryover into FY 16: \$5M increased maintenance/fuel costs, emergency repairs, contract



Automation Modernization  
Obligation of FY 2015 Carryover in FY 2016  
(\$ in Millions)

Treasury Account Symbol	PPA	FY 2015 Carryover Estimate *	FY 2016 Q1 Spend Plan	FY 2016 Q2 Spend Plan	FY 2016 Q3 Spend Plan	FY 2016 Q4 Spend Plan	Justification
7013/150531		\$0.0					We will use the funding to support the development and launch of core ACE as well as operation and maintenance of the system. In addition, we will use carry-over balances to support the on-boarding of Partner Government Agencies (PGAs) in ITDS as well as to ensure that mainframe migration is completed by the time core ACE functionality becomes fully operational to meet the Executive Order deadline of December 2016.
7014/160531		\$0.31	\$0.31				
7015/170531	ACE	\$20.1	\$13.1	\$4.00	\$3.00		
70X0531		\$22.0	\$7.00	\$8.00	\$7.00		
<b>Total</b>		<b>\$42.41</b>	<b>\$20.41</b>	<b>\$12.0</b>	<b>\$10.0</b>	<b>\$0.0</b>	
* These FY 15 Carryover Estimates were provided on April 17, 2015. The estimates have since changed based on the current requirement needs.							
Treasury Account Symbol	PPA	FY 2015 Carryover Estimate *	FY 2016 Q1 Spend Plan	FY 2016 Q2 Spend Plan	FY 2016 Q3 Spend Plan	FY 2016 Q4 Spend Plan	Justification
7013/150531		\$0.0					This funding will be carried forward to fund contract modifications/bridges that may be necessary in FY2016, Q1; and/or to replace equipment that has reached the end of its useful life, or can no longer be patched, to minimize security vulnerabilities to CBP's network and data.
7014/160531		\$0.0	\$0.00	\$0.00	\$0.00		
7015/170531	COPPS	\$15.0	\$15.0	\$0.00	\$0.00		
70X0531		\$0.0	\$0.00	\$0.00	\$0.00		
<b>Total</b>		<b>\$15.00</b>	<b>\$15.00</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	

**QUESTIONS FOR THE RECORD SUBMITTED BY**  
**THE HONORABLE DAVID YOUNG**  
**R. Gil Kerlikowske, Commissioner, U.S. Customs and Border**  
**Protection**  
 Committee on Appropriations  
 Subcommittee on Homeland Security  
 FY 2016 U.S. Customs and Border Protection Budget Request  
 April 23, 2015

**CBP Investigators**

Recently, I understand that the DHS Secretary delegated CBP the authority to convert most of your Investigators, who conduct internal affairs investigations, to the 1811 (Criminal Investigator Series). It was stated that this was a key component of the reforms in integrity, accountability, and transparency at CBP.

**Question:**

Can you tell me any benefits you've seen from this action?

**ANSWER:** In September 2014, Department of Homeland Security Secretary Jeh Johnson delegated to U.S. Customs and Border Protection (CBP) the authority to investigate its employees for alleged criminal misconduct, an authority CBP previously relied on U.S. Immigration and Customs Enforcement (ICE) to execute. The delegation aligns CBP with best law enforcement practices throughout the nation and provided the country's largest federal law enforcement agency with the authority and responsibility to deter, detect and investigate criminal misconduct within its ranks. Soon after the Secretary's delegation, the ICE Office of Professional Responsibility (OPR) transferred approximately 150 criminal cases from its investigative inventory to CBP's Office of Internal Affairs (IA). Under the new delegation, all allegations of criminal and serious misconduct involving CBP employees not otherwise accepted for investigation by the DHS Office of Inspector General are now referred directly to IA for investigation. The benefits of this action include:

- CBP leadership has greater awareness and visibility of the overall threat(s) associated with alleged corruption in the workforce;
- CBP is better positioned to prioritize investigations to target those cases that create the greatest risk to border security; and,
- CBP is better able to manage that risk by exercising its discretion to pull a suspected corrupt Border Patrol Agent or CBP Officer off the frontline and opting to address the employee's misconduct through administrative measures up to and including removal from federal service.

The conversion of CBP Internal Affairs agents to the 1811 Criminal Investigator job series, which was effected in early February 2015, has placed CBP's investigators at the same professional level as agents of the Inspector General, ICE OPR, the Federal Bureau of Investigation (FBI) and other federal law enforcement agencies involved in investigating border corruption. This better positions IA to represent CBP's interests in agency coordination meetings, joint investigations and task force settings.

**Question:**

Have you seen improvements in the investigative thoroughness or timeliness of cases you are getting back?

**ANSWER:** IA has always maintained a high standard of quality in its criminal and administrative investigations. That being said, the change in delegated authority and the conversion of Internal Affairs agents to the 1811 Criminal Investigator job series prompted a comprehensive internal review of policies, processes and procedures to maximize the quality and timeliness of both administrative and criminal investigative case work.

IA previously established an internal performance measure of completing administrative cases in 120 days remains unchanged. It is much more difficult to assign a timeliness requirement to the completion of criminal cases because they tend to involve a wide range of prosecutorial and judicial factors that are not under the direct control of the investigators. However, it is fully anticipated that over time, investigative turn-over rates will improve as IA prioritizes cases based upon CBP's interests.

**Question:**

Has the use of Availability pay or (LEAP)( Law Enforcement Availability Pay) by your Investigators given them any advantage in conducting these types of cases?

**ANSWER:** The use of Law Enforcement Availability Pay (LEAP) by IA 1811 Criminal Investigators greatly improves their flexibility to engage in a range of investigative activities outside their core 40-hour work week. IA 1811 Criminal Investigators are responsible for responding 24/7 to critical incidents involving CBP personnel. This includes instances of use of force that result in serious injury or death. Additionally, IA 1811 Criminal Investigators respond to all allegations of excessive use of force to ensure those allegations are investigated prior to the removal of an illegal immigrant. Many investigative activities related to criminal investigations occur outside the core hours and require IA 1811 Criminal Investigators to work substantial amounts of overtime. The LEAP authorization that accompanies the 1811 designation has proven to be a positive development for IA investigation personnel and for the organization.

**Suspicious Activity Reports Exploitation Initiative****Question:**

Can you tell me about the Suspicious Activity Reports Exploitation Initiative (SAREX) program, and if this program is still running?

**ANSWER:** The Suspicious Activity Reports Exploitation (SAREX) initiative was a collaborative effort between CBP and the Federal Bureau of Investigation (FBI) and coordinated by the National Border Corruption Task Force. CBP and FBI initiated a SAREX pilot in March 2011 that focused on employees assigned to the Southwest border. The pilot was designed to proactively identify financial patterns that may be indicative of criminal activity on the part of employees whose periodic reinvestigations were opened. This information was intended to augment the periodic reinvestigation and possibly provide leads for criminal investigations of border corruption. The SAREX pilot was discontinued in November 2011.

**Question:**

Have you replaced this program with something that meets DHS Privacy guidelines and protects CBP employees from the types of profiling that was going on in the SAREX Program?

**ANSWER:** The SAREX program was replaced in 2013 when CBP-Internal Affairs Personnel Security Division began to receive financial reporting information from the Office of Personnel Management (OPM) as part of the National Agency Check (NAC) conducted during employees' periodic reinvestigations. As this information is now part of OPM's approved NAC, it is in line with Department of Homeland Security privacy guidelines which protect CBP employees.

QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE LUCILLE ROYBAL-ALLARD**

**R. Gil Kerlikowske, Commissioner, U.S. Customs and Border  
Protection**

Committee on Appropriations

Subcommittee on Homeland Security

FY 2016 U.S. Customs and Border Protection Budget Request

April 23, 2015

**National Integrated Ballistics Information Network**

**Question:**

Does CBP currently have any formal or informal agreements with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) related to the use of ATF's National Integrated Ballistics Information Network (NIBIN)?

**ANSWER:** Yes, U.S. Customs and Border Protection (CBP) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) signed a Memorandum of Understanding on September 8, 2014, related to the use of ATF's National Integrated Ballistics Information Network (NIBIN). The memorandum covers the scope of the program, the applicable laws and authorities; the security of the system, as well other details related to the NIBIN program.

**Question:**

If CBP uses NIBIN, please explain the agency's policies and practices for NIBIN use, including the extent to which ballistics information from firearms seized by CBP are entered into NIBIN.

**ANSWER:** The CBP NIBIN program is in its pre-implementation phase and the Agency's policies and procedures related to NIBIN are in the early stages of development. CBP will coordinate with all the Department components involved with this program to establish a handling process for weapons sent to and from the CBP Advanced Training Center in Harpers Ferry that keep the chain of custody intact. Once this process is finalized, CBP will follow ATF's guidance on criteria for firearm entry into NIBIN.

**Question:**

To the extent that ballistics data from firearms seized by CBP are not entered NIBIN, what is the feasibility of requiring ballistics information from all such firearms to be entered, including an estimate of the associated costs and benefits?

**ANSWER:** Due to the current pre-implementation phase of CBP's NIBIN program, no firearms have been entered into the CBP NIBIN. Once implementation of the program is complete, CBP estimated that 75 percent of the approximately 4,000 firearms seized by CBP will meet the criteria set forth by the ATF for entry into the NIBIN system. For the remaining 25 percent, that do not meet the ATF criteria for NIBIN entry, requiring system entry would not serve any beneficial purpose, as the vast majority of firearms in this category would be new firearms seized by for US Customs importation violations and have an extremely low chance of having ever been used in criminal activity. Furthermore, because the weapons that do not meet ATF criteria for NIBIN entry are shipped to the CBP Advanced Training Center for destruction, it is highly unlikely that these firearms will ever be used in criminal activity. There would be an estimated \$140,000.00 increase in the shipping and returning cost of such firearms, in addition to an increase in the associated workload.

QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE MARCY KAPTUR**

**R. Gil Kerlikowske, Commissioner, U.S. Customs and Border  
Protection**

Committee on Appropriations

Subcommittee on Homeland Security

FY 2016 U.S. Customs and Border Protection Budget Request

April 23, 2015

**Agriculture Specialists Resource Allocation Model**

Invasive species arrive at U.S. ports of entry (POEs) every day, often hidden in wooden crates, pallets and shipping containers used to transport agricultural cargo, or concealed in the imported goods themselves. For example, on the Northern border, the emerald ash borer, a green beetle native to Asia and Eastern Russia, was first discovered in America in June 2002 in Michigan. Outside its native region, the emerald ash borer is an invasive species highly destructive to ash trees in northern U.S. states. The emerald ash borer was accidentally brought to the U.S. in ash wood used in shipping materials. As recently as March 20, CBP Agriculture Specialists discovered a bug never found in the United States while inspecting a shipment of celery from Mexico.

To ensure that U.S. agriculture is protected, CBP needs to ensure that U.S. POEs are adequately staffed by Agriculture Specialists. The FY 2016 budget supports 2,414 CBP Agriculture Specialists, of this total, 2,050 are frontline employees working at 174 of the 328 POEs. A September 2010 preliminary staffing model recommended a 32 percent increase in the total number of Agriculture Specialists (see GAO-12-885, page 14.)

In response to this GAO report, DHS committed to develop a national, risk-based staffing model--an Agriculture Specialists Resource Allocation Model (AgRAM)--similar to the CBP Officer Workplace Staffing Model, to ensure adequate CBP Agriculture Specialist staffing at the POEs. Release of the AgRAM, initially due at the end of September 2013, has been postponed and still has not been released almost two years after its initial due date.

**Question:**

Release of the long-delayed staffing model will provide Congress with a framework to address CBP Agriculture Specialist staffing needs so that Congress can work with CBP to address

Agriculture Specialists' staffing needs so vital to U.S. agriculture industry. Can you provide a date certain for the release of the CBP AgRAM?

**ANSWER:** With the release of the "Resource Optimization at Ports of Entry" report to Congress in April 2013, U.S. Customs and Border Protection (CBP) embarked on a course of action to achieve greater security and efficiency at our Nation's ports of entry (POE). The strategy focuses on three main pillars: to identify CBP officer staffing requirements with the Workload Staffing Model; to create efficiencies through Business Transformation Initiatives; and to explore alternative funding strategies to increase revenue sources supporting staffing. CBP continues to expand on this effort with the Agriculture Specialist Resource Allocation Model (AgRAM) — a performance-driven analytical model that calculates different results on the basis of achieving performance-related goals — to identify Agriculture Specialist staffing requirements. The AgRAM was introduced in the "Resource Optimization at Ports of Entry Fiscal Year 2015 Report to Congress," which was released to Congress on May 14, 2015.

### **Agriculture Quarantine Inspection**

In July 2014, USDA proposed changes to the fees it charges to recoup the costs of providing Agriculture Quarantine Inspection (AQI) services at the POEs. The proposed new fee structure ensures that parties pay no more than the costs of the services that they receive. The proposed rule is in the review and approval period and is anticipated to be implemented shortly. CBP anticipates receiving an additional \$29.19 million in AQI user fees in FY 2016. This increase will be used to recover additional agricultural inspection costs incurred in CBPs Salary and Expenses appropriation in 2016.

#### **Question:**

Without approval of this increase in APHIS user fees, will CBP be able to adequately staff and perform its AQI function?

**ANSWER:** CBP Agriculture Specialists currently operate at over 180 of the 328 ports of entry (POEs) and are trained to serve as experts in agriculture, border intelligence, analysis, examination, and enforcement activities. On average, CBP Agriculture Specialists inspect more than 500 conveyances, 200 shipments of regulated cargo, and 10,000 passengers per year entering the United States and international trade and travel volumes are expected to continue to increase. In the event the Agriculture Quarantine Inspection (AQI) fee rate adjustment process is prolonged, CBP could face very serious challenges that could potentially impact the efficient delivery of the AQI mission and lead to noticeable increases in passenger wait times and cargo hold times. CBP continues to hone its targeting algorithms and implement Business Transformation Initiatives to increase the effectiveness and efficiency and of its essential agriculture quarantine and inspection duties. However, the full offset related to the increase in AQI fees in FY 2016 is expected to be \$121.890 million.



**STATEMENT OF COLLEEN M. KELLEY  
NATIONAL PRESIDENT  
NATIONAL TREASURY EMPLOYEES UNION  
ON U.S. CUSTOMS AND BORDER PROTECTION FY 2016 BUDGET REQUEST  
BEFORE THE SUBCOMMITTEE ON HOMELAND SECURITY  
HOUSE APPROPRIATIONS COMMITTEE**

**April 23, 2015**

Chairman Carter, Ranking Member Roybal-Allard, 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 stationed at 328 land, sea and air ports of entry (POEs) across the United States and 16 Preclearance POEs.

NTEU applauds the Administration's FY 2016 budget that recognizes that there is 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. **NTEU strongly supported the FY 2014 Omnibus bill that provided funding to hire an additional 2000 new CBP Officers at the air, sea and land ports of entry. To date, approximately 700 new CBP Officers have been hired with the remaining Officers expected to be on board by the end of FY 2016.**

For years, NTEU has maintained that delays at the ports result in real losses to the U.S. economy. According to the U.S. Department of the Treasury, more than 50 million Americans work for companies that engage in international trade and, according to a University of Southern California (USC) study, "The Impact on the Economy of Changes in Wait Times at the Ports of Entry", dated April 4, 2013, for every 1,000 CBP Officers added, the U.S. can increase its gross domestic product by \$2 billion, which equates to 33 new private sector jobs per CBP Officer added. This analysis was supplemented by USC in its update entitled "Analysis of Primary Inspection Wait Times at U.S. ports of Entry" published on March 9, 2014. This study found that by adding 14 CBP Officers (one each at 14 major airport terminals), the potential increase to the GDP is \$11.8 million and add 82 private sector jobs annually.

**NTEU also supports increasing immigration and customs user fees to fund the hiring of additional CBP Officers as identified by CBP's Workforce Staffing Model.** 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. Customs 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. User fees have not been increased in years and some of these user fees cover only a portion of recoverable fee-related costs.

Increasing the immigration inspection user fee will allow CBP to better align air passenger inspection fee revenue with the costs of providing immigration inspection services. According to the Government Accountability Office (GAO) (GAO-12-464T, page 11), fee collections available to ICE and CBP to pay for costs incurred in providing immigration inspection services totaled about \$600 million in FY 2010, however, “air passenger immigration fees collections did not fully cover CBP’s costs in FY 2009 and FY 2010.”

**Despite an enacted increase in appropriated funding for the hiring 2000 new CBP Officers, CBP will still face staffing shortages in FY 2016 and beyond. If Congress is serious about job creation, then Congress should either again increase appropriated funding to hire additional CBP Officers, or raise IUF and COBRA fees and adjust both fees annually to inflation.**

#### **Agriculture Specialist Staffing Shortage**

CBP employees also perform agriculture inspections to prevent the entry of animal and plant pests or diseases at ports of entry. For years, NTEU has championed the CBP Agriculture Specialists’ Agriculture Quality Inspection (AQI) mission within the agency and the need for increased staffing to fulfill that mission. The U.S. agriculture sector is a crucial component of the American economy generating over \$1 trillion in annual economic activity. According to the United States Department of Agriculture (USDA), foreign pests and diseases cost the American economy tens of billions of dollars annually. Failure to detect and intercept these non-native pests and diseases imposes serious economic and social costs on all Americans. **Staffing shortages and lack of mission priority for the critical work performed by CBP Agriculture Specialists and CBP Technicians assigned to the ports is a continuing threat to the U.S. economy.**

To address CBP Agriculture Specialist staffing shortages at the POEs, NTEU supports funding to hire additional CBP Agriculture Specialists and GAO recommendations aimed at more fully aligning AQI fee revenue with program costs (see GAO-13-268). According to GAO, in fiscal year 2011, CBP incurred 81 percent of total AQI program costs, but received only 60 percent of fee revenues; whereas the Animal, Plant Health Inspection Service (APHIS) incurred 19 percent of program costs but retained 36 percent of the revenues. In other words, APHIS

covers all its AQI costs with AQI fee revenues, while CBP does not. AQI user fees fund only 62 percent of agriculture inspection costs with a gap of \$325 million between costs and revenue. To bridge the resulting gap, CBP uses its annual appropriation. NTEU supports USDA's proposed changes to the fees it charges to recoup the costs of conducting AQI inspections at the POEs. The proposed new fee structure ensures that parties pay no more than the costs of the services that they receive. The proposed rule is in the review and approval period and is anticipated to be implemented in FY 2015. CBP anticipates receiving an additional \$29.19 million in AQI user fees in FY 2016. This increase will be used to recover additional agricultural inspection costs incurred in CBPs Salary and Expenses appropriation in 2016.

NTEU also supports CBP's efforts to establish an Agriculture Specialists Resource Allocation Model (AgRAM) to ensure adequate CBP Agriculture Specialist staffing at the POEs. Release of the AgRAM, initially due at the end of September 2013 has been postponed and still has not been released almost two years after its initial due date. **NTEU urges the Committee to ask CBP to provide a date certain for the release of the AgRAM. Release of the long-delayed staffing model will provide Congress with a framework to address CBP Agriculture Specialist staffing needs and enhance the AQI mission at CBP.**

### **CBP Trade Operations Staffing**

CBP has a dual mission of safeguarding our nation's borders and ports as well as regulating and facilitating international trade. In FY 2014, all revenue collected by CBP exceeded \$41 billion with nearly \$30 billion of that revenue coming from the collection of trade duties. Since CBP was established in March 2003, however, there has been no increase in CBP trade enforcement and compliance personnel. NTEU is concerned that, rather than hiring additional CBP trade operations personnel, the budget proposes to cut trade operations positions including 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 to increase funding to hire additional trade enforcement and compliance personnel, including Import Specialists, to enhance trade revenue collection.**

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.

CBP continues to be a top-heavy management organization. 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 CBP's own numbers, a **snapshot of CBP workforce demographics in September 2014 showed that the Supervisor to frontline employee ratio was 1 to 5.9 for the CBP workforce, 1 to 6.1 for CBP officers and 1 to 6.9 for CBP Agriculture Specialists.**

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. With the increase of potentially 4000 CBP Officer new hires, **NTEU urges that CBP return to a more balanced supervisor to frontline employee ratio.**

**NTEU strongly urges Congress to end the sequester.** Prior to enactment of the Omnibus, the CBP sequester plan for FY 2014 would have severely restricted CBP's ability to address critical staffing needs at the ports of entry. If Congress doesn't reverse the Budget Control Act in FY 2016, CBP will be subject to another year of sequestration funding levels--constraining services, increasing wait times for trade and travel, and jeopardizing national security.

## RECOMMENDATIONS

Funding for additional CBP staff must be increased 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 end the sequester and include in its FY 2016 DHS appropriations bill:**

- **funding to increase agriculture inspection and trade enforcement staffing to adequately address increased agriculture and commercial trade volumes;**
- **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.**

Lastly, NTEU supports legislation to allow CBP to increase user fees to help recover costs associated with fee services and provide funding to hire additional CBP Officers. We also support including in the extension of the Travel Promotion Act, that provides CBP the authority to collect a fee to fund the promotion of tourism, a provision requiring a significant portion of fees collected be remitted to CBP to provide additional funding for CBP Officer new hires.

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.



THURSDAY, APRIL 23, 2015.

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**WITNESS**

**HON. W. CRAIG FUGATE, ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY**

Mr. CARTER. All right. We are a little late getting started, but we kind of ran over a little early. We will try to move along a little faster. I call this hearing to order. Welcome, Administrator Fugate, to talk to us today to discuss the fiscal year 2016 FEMA budget requests, and, Administrator, thank you for being here. And thank you for visiting with me the other day. I appreciate that, and looking forward to hearing from you.

FEMA has, as you know, a very important mission. You support our citizens and first responders in their greatest time of need. You build capabilities in order to prepare for, protect against, respond to, and recover from a wide variety of threats and hazards.

Since 1979, FEMA has had a single vision: A Nation prepared. Administrator, you do that extremely well. We appreciate that.

In 2014, FEMA responded to 45 major disaster declarations. This number is down from 62 in 2013. The high water mark was 99 in 2011. However, there is also a significant amount of recovery and mitigation work that continues from post disasters, including Hurricane Sandy.

Your fiscal year 2016 budget request for \$390 million above the fiscal year 2015, despite large unspent balances. \$340 million of requested increases is for the disaster relief fund.

I look forward to discussing whether the increase is appropriate given the recent decrease in major disasters and the substantial carryover balance from previous years.

Your budget request also includes significant increases related to climate change initiatives such as a Climate Resilience Task Force and requiring climate change to be considered a developing pre-disaster mitigation plans. In a shrinking budget environment, I would like to hear more about how these initiatives meet the FEMA mission.

With respect to first responder grant funding, your fiscal year 2016 budget includes a request to fund a consolidated grant program which is not authorized. And this is the fourth consecutive year you have proposed this grant program, a proposal that has continually been denied by the Congress.

Also your funding request for grants is, once again, \$300 million less than the amount appropriated in fiscal year 2015.

I look forward to hearing more about why the new grant program is needed, and why the requested funding levels are appropriate.

Before I end, I would like to extend my condolences to the FEMA family for the untimely death of Deputy U.S. Fire Administrator Glenn Gaines. Chief Gaines dedicated his career to the mission of fire safety and rescue. We are proud of his contributions at both the Federal and the local level.

Administrator, your written statement has been placed in the record, and we will ask you to summarize that in about a 5-minute period of time, but first I would like to recognize Ms. Roybal-Allard, our distinguished ranking member, for her opening remarks.

[The information follows:]



## Chairman John Carter

*Subcommittee on Homeland Security  
House Committee on Appropriations*

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**FY 2016 Budget Hearing – Federal Emergency Management Agency  
April 23, 2015  
Opening Statement As Prepared**

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This morning we welcome FEMA Administrator Craig Fugate to discuss the FY16 FEMA budget request. Administrator, thank you for joining us.

FEMA has a very important mission. You support our citizens and first responders in their greatest time of need. You build capabilities in order to prepare for, protect against, respond to, and recover from a wide variety of threats and hazards. Since 1979, FEMA has had a single vision – “A Nation Prepared”...and Administrator, you do it well.

In 2014, FEMA responded to 45 major disaster declarations. This number is down from 62 in 2013 and the high-water mark of 99 in 2011. However, there is also a significant amount of recovery and mitigation work that continues from past disasters, including Hurricane Sandy.

Your FY16 budget request is \$390 million above FY15. Despite a large unspent balance, \$340 million of the requested increase is for the disaster relief fund. I look forward to discussing whether the increase is appropriate given the recent decrease in major disasters and the substantial carryover balance from previous years.

Your budget request also includes significant increases related to climate change initiatives, such as a Climate Resilience Task Force and the requiring climate change to be considered when developing pre-disaster mitigation plans. In a shrinking budget environment, I would like to hear more about how these initiatives meet the FEMA mission.

With respect to first responder grant funding, your FY16 budget includes a request to fund a consolidated grant program which is not authorized. This is the fourth consecutive year that you have proposed this grant program - a proposal that has continually been denied by Congress. Also, your funding request for grants is once again \$300 million less than the amount appropriated in FY15. I look forward to hearing more about why the new grants program is needed, and why the requested funding level is appropriate.

Before I end, I would like to extend my condolences to the FEMA family on the untimely death of Deputy U.S. Fire Administrator Glynn Gaines. Chief Gaines dedicated his career to the mission of fire safety and rescue, and we are proud of his contributions at both the federal and local level.

Administrator, your written statement will be placed in the record, so I ask you to take five minutes to summarize it. But first, I'd like to recognize Ms. Roybal-Allard, our distinguished Ranking Member, for her opening remarks.

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Ms. ROYBAL-ALLARD. Good morning, Administrator. We appreciate your joining us this morning to discuss FEMA's proposed budget for fiscal year 2016.

FEMA's disaster response performance under your leadership continues to earn plaudits around the country. On many levels the agency has become more efficient, professional, and effective under your watch.

There are still areas of concern, however, including recent problems with the National Flood Insurance Program. It appears that fraudulent damage assessments led to significant underpayments to many homeowners following Hurricane Sandy. And while FEMA's improper payment rate has been significantly reduced since Hurricane Katrina, we still hear concerns about individuals who receive debt letters from FEMA months or years later.

The agency is requesting \$11.2 billion, including \$6.7 billion for major disasters under the Budget Control Act cap adjustment. Excluding this major disaster funding, the request totals \$4.5 billion, \$115.1 million or 2.6 percent above the current year level. Despite the overall increase, I was disappointed to again see a proposed \$224 million reduction in State and local discretionary grants, or a 17.6 percent. The cut is actually \$288 million, or 19 percent, when considering discretionary State and local grants and training grants. The cut to grant funding is once again paired with a proposal to consolidate the State and local grants into a single national preparedness grant program. But it isn't yet clear to me that stakeholders' concerns with this program have been addressed.

Once again, the budget proposes a cut to the Emergency Food and Shelter Program, and transferring it to the Department of Housing and Urban Development. I was glad to see that the budget proposes a significant increase for the pre-disaster mitigation program as well as a major increase for flood mapping.

Given the difficult funding environment that we face, I hope we can still find a way to provide increases for both of these valuable programs, and I look forward to a good discussion this morning.



**Congresswoman Lucille Roybal-Allard (CA-40), Ranking Member  
Subcommittee on Homeland Security, House Committee on Appropriations**

**Federal Emergency Management Agency FY 2016 Budget Hearing  
Opening Statement as Prepared  
April 23, 2015**

Good morning, Administrator Fugate, and welcome. We appreciate your joining us this morning to discuss FEMA's proposed budget for Fiscal Year 2016.

FEMA's disaster response performance under your leadership continues to earn plaudits around the country. On many levels, the agency has become more efficient, professional, and effective on your watch.

There are still areas of concern, however, including recent problems with the National Flood Insurance Program. It appears that fraudulent damage assessments led to significant underpayments to many homeowners following Hurricane Sandy. And while FEMA's improper payment rate has been significantly reduced since Hurricane Katrina, we still hear concerns about individuals who receive debt letters from FEMA months or years later.

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Despite the overall increase, I was disappointed to again see a proposed \$224 million reduction in state and local discretionary grants, or 17.6 percent. The cut is \$288 million, or 19 percent, when considering both discretionary state and local grants and training grants.

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I look forward to a good discussion this morning.

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Contact: Ben Soskin, (202) 225-1766, [Benjamin.Soskin@mail.house.gov](mailto:Benjamin.Soskin@mail.house.gov)

Mr. CARTER. All right. Administrator, we will recognize you for 5 minutes.

OPENING STATEMENT: ADMINISTRATOR FUGATE

Mr. FUGATE. Thank you, Mr. Chairman. I appreciate you recognizing Glenn Gaines. Glenn was a firefighter's firefighter. I was fortunate enough to attend his funeral. His home county, where he was fire chief laid him to rest with honors. So I appreciate that and that recognition.

I also want to thank the chairman and the ranking member and staff for the difficult part of budgets. Our job at the administration within the resources we have is to make recommendations to you in our budget. You have the unenviable task of then trying to appropriate funds on the basis of all of the conflicting priorities that you face. That process, though, is the regular order of how it is supposed to work. And when we have a budget that you have done that in and the President signs into law, we have the stability to execute our mission.

And, again, we will present, you will appropriate, and we will execute. And in that regular order, the taxpayer is best served. That is something I think, again, I want to thank you for each of the years that you have been chairman and going all the way back to Congressman Price when he was chair, the work that you do to try to put together a budget and meet all of the different competing needs.

And then the last part I wanted to talk about was in our mission, one of the things I heard early on was, you know, you guys have a lot of programs. How is this all tied together? What are you getting with this money? How are you demonstrating? Where are you getting your efficiencies? And we did not have a good story to tell. And we have been working on that. And so we looked at our strategic plan. And what we try to do now is, most strategic plans I think sometimes are what we call a shelf document. We wrote it. It is submitted. They passed it. And then you can't find anything else that you will see referenced in that strategic plan.

We took a different approach. We are not going to write a shelf document. We wrote what we thought is our mission. We looked at being survivor centric. And this gets to some of the challenges I am seeing in flood insurance. It wasn't survivor centric. We are making those changes.

We have to go where disasters are. Just because it works in Washington, D.C., does not mean it is going to work out in a mudslide in Oso, West Virginia—or in Washington State—or down in California with our drought or up in New Jersey when we are dealing with Sandy. Things have to work where the disasters occur and the people are.

You have to build your program around the worst-case scenario, the catastrophic disasters. We saw what happened with Katrina when you try to scale up. It didn't work. And disasters do not come one at a time, as 2010 and 2011 showed us. We were dealing with multiple disasters across the country. So you have to build systems and build capability around those types of events. Not what you are used to doing or the way you used to do it.

You have got to build resilience into it. We are spending a lot of money paying for losses that, quite honestly, I ask the question: Why was that not insured? Why was it not insurable? Why are we rebuilding it time and time again? And why is the taxpayer seeming to be the insurer of last resort, yet nothing is being done to reduce those losses in the future?

Then finally, probably one of the huge challenges that we face that we are working on is internally as a crisis agency, we tended to deal with our day-to-day management as by crisis only. We never built the foundations to run an organization that was built around catastrophic disaster response. And this goes all the way back to hiring. If you are not hiring the workforce to respond to catastrophic disasters, you are just not going to be successful. If your IT [information technology] systems aren't secure and resilient, they are not going to be there when you need them. We are still having to use spreadsheets to put together data from collection across various grant platforms that don't talk to each other.

So we have to work on the foundation of FEMA, modernize that, while reducing costs. And one of our examples is in the austere budget we are working in, do I need nine office buildings in the D.C. region? And the answer is no. We have consolidated down—we are down—going down to three. We will eventually get down to two. Pending any moves to St. Elizabeth, we have significantly reduced our footprint because we would much rather have our staff and our equipment to do our jobs versus having offices with doors for everybody.

So we are taking those steps to move there, but everything comes back to, Are we building, as a Nation, the capability to manage and respond to catastrophic disasters and leveraging resources at local, State, Federal level, private sector, volunteers, and NGO [non-governmental organization], and finally the public? Because although we use the term “first responder” a lot to talk about the people with lights and sirens, I have been to a lot of your States. I have been to a lot of disasters. The first responder that I usually see is a neighbor helping a neighbor, and we have to recognize that the better prepared our communities are, the better our response will be, the fewer lives we will lose, and the quicker we will move into recovery.

So, Mr. Chairman, I am ready for your questions.

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STATEMENT

OF

W. CRAIG FUGATE  
ADMINISTRATOR

FEDERAL EMERGENCY MANAGEMENT AGENCY  
U.S. DEPARTMENT OF HOMELAND SECURITY

BEFORE  
THE

HOUSE OF REPRESENTATIVES COMMITTEE ON APPROPRIATIONS  
SUBCOMMITTEE ON HOMELAND SECURITY  
WASHINGTON, D.C.

**“THE FEDERAL EMERGENCY MANAGEMENT AGENCY’S BUDGET SUBMISSION  
FOR FISCAL YEAR 2016”**

Submitted

By

Federal Emergency Management Agency  
500 C Street, S.W.  
Washington, D.C. 20472

April 23, 2015

## Introduction

Good Morning Chairman Carter, Congresswoman Roybal-Allard and Members of the Subcommittee. My name is Craig Fugate, and I am the Administrator at the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA). It is an honor to appear before you today to discuss FEMA's Fiscal Year (FY) 2016 budget request in terms of our strategic goals and objectives, past progress and the future opportunities included in this year's submission.

When I arrived at FEMA nearly six years ago, my focus was on creating a culture that was less reactive and more forward leaning, with a focus on becoming a faster, smarter, adaptable and more nimble Agency in our approach to disaster response and disaster assistance.

Today, with the help of Congress and the additional authorities provided to FEMA to carry out its mission, and along with the dedication of our workforce, our Agency is positively and substantially different than when I first arrived six years ago. We are transforming into an Agency that is more survivor-centric in mission and program delivery, more expeditionary in nature, and better postured to effectively assist and support our State, local, tribal, and territorial partners. We are also making efforts to buy down risk, which will help to lower the costs of future disasters.

The FY 2016 budget request reflects FEMA's priority to continue to manage resources more effectively with an emphasis on fulfilling the Agency's strategic priorities. Under my direction our focus is to continue maintaining and strengthening the Agency's ability to respond to disasters while reducing costs by effectively utilizing available resources and improving the efficiency of our operations. The budget reflects lessons learned from recent disasters and overall trends in disaster losses that led to FEMA's enhanced focus on maturing plans and processes to better serve survivors and communities and the need to serve as a catalyst in enabling national disaster risk reduction. Moreover, the budget seeks to strengthen FEMA's organizational foundation through effective management structures that are not separate from our mission, but critical to supporting it – whether through building a well-trained and capable workforce to execute our mission (with a focus on hiring, managing performance, and career development) or a secure information technology infrastructure that will allow us to respond uninterrupted to catastrophic disasters.

I am pleased to report to the subcommittee that the Agency's FY 2016 budget request is guided by the 2014-2018 Strategic Plan (Plan) which we released this past July. The Plan builds off of the Administrator's Intent for FY 2015-2019 which I discussed in my testimony before this subcommittee last March. The Plan was developed with the input of hundreds of FEMA employees and a breadth and depth of external stakeholders who are now working together to execute the Plan's five strategic priorities:

- Be survivor-centric in mission and program delivery;

- Become an expeditionary organization;
- Posture and build capability for catastrophic disasters;
- Enable disaster risk reduction nationally; and
- Strengthen FEMA's organizational foundation.

FEMA's leadership is committed to shaping the Agency's resource decisions going forward on achieving outcomes defined in the Plan on a priority basis. I will discuss several of these initiatives in this testimony.

### **Disaster Relief Fund**

The Disaster Relief Fund (DRF) provides individual and public assistance to help families and communities affected by declared disasters to rebuild and recover, as well as mitigation funds to reduce the impact of future disasters. Congress' continued support of the DRF has provided critical and timely financial resources that enable the Agency to be survivor-centric in the delivery of our mission and programs.

The FY 2016 DRF budget request is consistent with the Budget Control Act of 2011 (Pub. L. No. 112-25) and totals \$7.4 billion, in addition to carry-over and recoveries. The DRF request for FY 2016 includes estimated costs for prior catastrophic events (including Hurricane Sandy), a ten-year average level for non-catastrophic disasters, and funds for DRF Base activities (i.e., Emergencies, Pre-disaster Surge Support, Fire Management Assistance Grants, and Disaster Readiness and Support).

The request also includes again a \$1 billion set-aside for no-notice events, which should support initial critical funding needs of a new catastrophic event while the Congress evaluates any additional funding requests. FEMA will continue to maximize the use of DRF resources by working closely with states, localities, territories and tribes and through the use of its authorities and policies, including Strategic Funds Management, which is FEMA's process for obligating Public Assistance project funding based on a subgrantee's schedule to execute the eligible work. The DRF request also includes a \$250 million rescission to Base balances in anticipation of unspent carry-over balances and expected additional recoveries.

Finally, to ensure sound resource management and maximize operational readiness at the lowest cost to taxpayers, FEMA has developed a methodology for tracking incident workforce cadre readiness and standardizing costs across the incident workforce. This initiative allows FEMA to link current and future Disaster Readiness and Support budget requests to our efforts to maximize cadre readiness. The Cadre Operational Readiness and Deployment Status (CORDS) report will measure FEMA's current state of readiness consistent with past and current actions based on funding and will assist in determining future resource needs in order to improve FEMA's readiness posture.

**Continuing to Implement Major Legislative Changes***Sandy Recovery Improvement Act of 2013*

In January 2013, Congress passed and President Obama signed the Sandy Recovery Improvement Act (SRIA) into law, authorizing several significant changes to the way FEMA delivers disaster assistance. SRIA, and the additional authorities it provided, continues to aid recovery efforts associated with Hurricane Sandy and subsequent disasters.

To date, SRIA is one of the most significant pieces of legislation impacting disaster response and recovery since the Post-Katrina Emergency Management Reform Act (PKEMRA) and builds upon the Robert T. Stafford Disaster Relief and Emergency Assistance Act. For example, SRIA's Public Assistance Alternative Procedures provision provides substantially greater flexibility in the use of federal funds for Public Assistance applicants. This should result in fewer administrative burdens and costs for all parties when participating applicants choose to accept grants based on fixed, capped estimates, which may be provided by the applicant's licensed engineer and validated by an independent expert panel. A number of grantees, including the State of New York, used alternative procedures in the aftermath of Hurricane Sandy to help rebuild and restore critical infrastructure.

*Homeowner's Flood Insurance Affordability Act 2014*

In March 2014, President Obama signed the Homeowner Flood Insurance Affordability Act (HFIAA) of 2014 into law. This law repeals and modifies certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12), and makes additional program changes to other aspects of the program not covered by that Act. Many provisions of the Biggert-Waters Flood Insurance Reform Act remain and are still being implemented.

FEMA's FY 2016 budget request provides for the implementation of the new legislative mandates in BW-12 and HFIAA. These Acts authorized an ongoing flood mapping program with several major expansions in scope, enhancements to community engagement, and risk communications to be implemented in collaboration with a Technical Mapping Advisory Council comprised of key stakeholders, subject matter experts, and representatives of Federal agencies. The \$181.2 million in requested funding for the National Flood Insurance Fund discretionary appropriation will enable FEMA to begin the implementation of these new requirements. This includes specific mapping, community engagement, and risk communication activities directed by the reforms, and the recommendations that the Technical Mapping Advisory Council is expected to begin making over the next few years.

HFIAA also repeals certain rate increases that have already gone into effect and provides for refunds to those policyholders. I am pleased to report to the subcommittee that 100 percent of these refunds have now been issued. The Act also authorizes additional resources for the

National Academy of Sciences (NAS) to complete the affordability study as mandated by BW-12. We expect NAS to deliver the study later this year.

Section 24 of HFIAA provides for the designation of a Flood Insurance Advocate to advocate for the fair treatment of policyholders under the National Flood Insurance Program (NFIP) and property owners in the mapping of flood hazards, the identification of risks from flood, and the implementation of the measures to minimize the risk of flood. FEMA's FY 2016 budget proposal includes a request for eight positions and \$1,590,000 to establish the permanent Flood Insurance Advocate Office. The development of the Flood Insurance Advocate Office supports FEMA's strategic priority of enabling risk reduction through enhancing stakeholder interaction to provide greater access to information on risk, insurance, and mitigation. With these thoughts in mind, I want to thank the Congress for its support of the Advocate's Office in the FY15 Department of Homeland Security Appropriations Act (Pub. L. No. 114-4). The establishment of this function will provide disaster survivors with a congressionally mandated representative who will help ensure fair treatment of policyholders under the NFIP.

### **2014-2018 FEMA Strategic Plan-Driving Budgetary Decision Making**

FEMA's FY 2016 budget request reflects a concerted effort on behalf of the Agency's leadership to link key priorities within our 2014-2018 Strategic Plan with budgetary decision making. I wanted to take this opportunity to provide the subcommittee with a few examples.

#### Strategic Priority One: Be Survivor-Centric in Mission and Program Delivery

The whole community approach to emergency management calls for those who manage disasters to understand and recognize both the needs and the capabilities of affected survivors. Hurricane Sandy and other recent disasters highlighted the need to make FEMA's programs and processes as accessible and user-friendly as possible for survivors rather than prioritizing FEMA's ease of administration. In delivering its Individual Assistance and Public Assistance programs, FEMA will therefore endeavor to anticipate and adapt to survivors' needs, maximizing the speed, efficiency, accessibility, and ease of use of our programs and services for individuals and communities. FEMA's FY 2016 budget proposal reflects these efforts and for example, includes a request to transfer \$4 million and eighteen positions from the Recovery Directorate to the Office of Federal Disaster Coordination. This transfer would ensure that the Recovery Framework principles are fully embraced and promoted through our field leadership who are working most closely with States, tribes and local communities both before and after disasters. We anticipate this will improve the effectiveness and efficiency of interagency coordination efforts after large disasters.

The budget submission also includes a request for an increase in \$4.3 million for the Integrated Public Alert and Warning System (IPAWS). If appropriated, the program would apply \$1.5 million of this funding towards improving Primary Entry Point (PEP) station reliability. The PEP

stations are the primary mechanism for disseminating a Presidential message and serves as a highly resilient communications resource for State, tribal and local governments. \$2.8 million of this funding would go towards improving the reliability of the IPAWS system by seeking alternative commercial cloud hosting solutions to safeguard system availability. Improving IPAWS availability and reliability will ensure integrated services and capabilities are available to Federal, State, territorial, tribal, and local authorities that enable them to alert and warn their respective communities via multiple communications methods. This investment would directly support our efforts to be survivor-centric in mission and program delivery.

#### Strategic Priority Two: Become an Expeditionary Organization

The overall response to Hurricane Sandy confirmed that large and complex incidents will stress FEMA and the Federal Government's capacity to anticipate survivor needs, maintain unity of effort, and provide rapid support to State, local, territorial and tribal partners. As a result, FEMA's Response Directorate, Logistics Directorate, Office of Federal Disaster Coordination, and the Regional offices are working to build the capacity to respond rapidly and to appropriately sustain incident operation. FEMA will continue to expand its ability to become an expeditionary organization with the right people and resources in the right places at the right times to meet the needs of disaster-affected communities.

The Agency's FY 2016 submission directly reflects these efforts. For example, the request includes \$18.6 million for the FEMA Qualifications System (FQS) Program which ensures the Agency puts forth a qualified workforce based on performance standards; establishes minimum, consistent, and fair qualification requirements for all workforce positions regardless of employment status; and works to strengthen the training and qualification standards for all workforce positions by implementing improvements based on sound analysis.

#### Strategic Priority Three: Posture and Build Capability for Catastrophic Disasters

One of the greatest challenges in emergency management lies in preparing for a catastrophic disaster. FEMA leads efforts to prepare the Nation for a catastrophic event, engaging the whole community to harness and enhance the capabilities of citizens and communities. FEMA continues to work to deliberately identify gaps in the Nation's capabilities to respond to and recover from a catastrophic event, and to work with whole community partners to address the identified gaps through better planning and through continued efforts to build and sustain the capabilities that matter most. The centerpiece of these efforts is the National Preparedness System. The National Preparedness System outlines a structured process for the whole community to develop and advance our nation's security and resilience. The components of the National Preparedness System provide a consistent and reliable approach to support decision-making, allocating resources, and measuring progress. Through the National Preparedness System, whole community partners:

- Identify and assess the risk, determine the resources required to address those risks, and build and sustain the core capabilities in the National Preparedness Goal, as part of the Threat and Hazard Identification and Risk Assessments (THIRAs);
- Coordinate planning across organizations through the National Planning Frameworks;
- Validate existing capabilities through the National Exercise Program;
- Continuously improve knowledge and core capabilities through the National Training and Education System; and
- Participate in the regular review and assessment of capabilities, resources and plans through the National and State Preparedness Reports.

FEMA's FY 2016 budget request also re-proposes the National Preparedness Grant Program (NPGP) that seeks to maximize the impact and benefit of grants for the whole community's capacity to be prepared based on risks.

The primary purpose of the FY 2016 NPGP is to build and sustain core capabilities associated with the five mission areas described in the National Preparedness Goal: prevention, protection, mitigation, response, and recovery. Particular emphasis will be placed on capabilities that address high consequence events that pose the greatest risk to the security and resilience of the United States, including those along its borders, and could be utilized to address multiple threats and hazards.

Finally, the FY 2016 budget request would also maintain FEMA's efforts to ensure that first responders continue to receive the training they need to best serve their communities. As a result, this year's budget submission maintains strong support for the Center for Domestic Preparedness (CDP) and the Emergency Management Institute (EMI). Moreover, the budget submission includes separate requests for \$18 million for the Center for Homeland Defense and Security (CHDS) and \$42 million for the National Domestic Preparedness Consortium (NDPC), consistent with congressional intent and authorizing statute.

#### Strategic Priority Four: Enable Disaster Risk Reduction Nationally

Our country faces increasing disaster risk in the near and long term due to multiple interacting factors. Reducing loss of life, injuries, and disaster costs will require concerted action by individuals, businesses, and communities, as well as a range of federal, state, territorial, tribal and local government agencies. To further enable national disaster risk reduction, FEMA identifies and assesses risk; reduces risk by promoting resilient land use incentives, building codes, and providing Hazard Mitigation Grant Program funding; and, spreads the risk of flood loss through the National Flood Insurance Program (NFIP). Through these programs, FEMA reduces the likelihood of future losses, enables individuals to recover more rapidly from floods and other disasters, and minimizes the financial impact of disasters on the U.S. Treasury, states, tribes, territories and local communities.

FEMA's FY 2016 budget request places a strong emphasis on funding programs that will minimize risk while increasing resiliency. For example, the request includes \$200 million for Pre-Disaster Mitigation (PDM) grants. The PDM grant program provides funds for hazard mitigation planning and projects on an annual basis. The program was put in place to reduce overall risk to people and structures, while at the same time, also reducing reliance on the DRF if an actual disaster were to occur. The requested increase in funding will enable FEMA to provide over 600 grants to State, local, tribal and territorial governments while augmenting our team with additional staff resources needed to review, implement, monitor and closeout the grants.

The budget request also includes \$194 million in additional funding for FEMA's RiskMap program. Risk MAP provides high quality flood maps and information, tools to better assess the risk from flooding. The program provides planning and outreach support to communities to help them take action to reduce flood risk. Perhaps most importantly, RiskMap, like PDM, helps to build resilience so that disaster survivors and their communities are less reliant on the DRF.

The requested increase in RiskMap funding would ensure that an additional 160,000 miles of flood maps meet the current flood mapping standards. In addition, FEMA would be able to initiate new Risk MAP projects in watersheds with high risk significant flood hazard data needs while enabling community actions to reduce flood risk.

The requested increases in RiskMap and PDM would provide funding for the two programs at levels authorized by the Congress.

#### Strategic Priority Five: Strengthen FEMA's Organizational Foundation

Mr. Chairman, FEMA must be adaptable and flexible as an organization in order to fulfill our mission. To achieve our strategic priorities, the Agency has recognized the critical importance of achieving excellence in human capital, data analytics, information technology, and other business functions. FEMA has also prioritized investments to strengthen the cyber-security of its systems by centralizing funding to ensure a focused and consistent approach within the Office of the Chief Information Officer.

The FY 2016 budget request includes \$11.9 million to initiate the process of modernizing FEMA's grants management system in alignment with our financial management modernization efforts with DHS support. The current systems do not sufficiently reconcile, scale, or meet the current and future demands for real-time data analytics and reporting requirements of FEMA and its whole community partners. This initiative would transform the Agency's current suite of aging, stove-piped, non-interoperable and technologically obsolete grants management systems into a modern grants management environment that seamlessly integrates with FEMA's financial systems. This investment will promote accountability, transparency, and standardization in accomplishing FEMA's mission in the regions and at headquarters while making our systems easier for grant recipients to use. This requested increase in funding would strengthen our organizational foundation and increase the efficiency of Agency operations.

The budget submission also includes an increase of \$5.0 million for the Information Technology (IT) resiliency review of FEMA's systems, and \$917 thousand for supporting cyber-security personnel reforms. These investments support the ongoing security review and annual certification of FEMA's complete headquarters and regional IT systems inventory, as well as the remediation activities associated with that review. FEMA anticipates that these efforts will identify further efficiencies and savings that will be used to offset the cost of future IT operations, maintenance, and enhancements. Finally, FEMA also requests \$3.2 million to modernize our financial management systems. The updated financial management system will be able to provide consistent, standardized information for program managers, financial managers, Agency executives, and oversight organizations including the Congress.

### **Conclusion**

The FY 2016 President's Budget provides FEMA with the resources we need to support readiness, increase the nation's preparedness posture and enhance the capabilities of our state, tribal, territorial and local partners. By strengthening resilience, maintaining robust disaster response and recovery capabilities and strengthening our organizational foundation we will ensure that FEMA is able to meet its mission while being careful stewards of taxpayer dollars.

I look forward to working with the subcommittee and would encourage the Congress to take swift action to ensure that FEMA and the Department of Homeland Security are funded at the appropriate levels.


**FEMA**

**Witness Biography for W. Craig Fugate  
Administrator  
Federal Emergency Management Agency (FEMA)**

before the  
United States House of Representatives Committee on Appropriations  
Subcommittee on Homeland Security  
23 April 2015

## William Craig Fugate

W. Craig Fugate was confirmed by the US Senate and began his service as Administrator of the Federal Emergency Management Agency (FEMA) in May 2009. At FEMA, Fugate has promulgated the "whole community" approach to emergency management, emphasizing and improving collaboration with all levels of government (federal, tribal, state, and local) and external partners, including voluntary agencies, faith based organizations, the private sector and citizens.



Under Fugate's leadership, emergency management has been promoted as a community and shared responsibility. FEMA has fostered resiliency, a community-oriented approach to emergency management to build sustainable and resilient communities. FEMA has instituted a permanent catastrophic planning effort to build the nation's capacity to stabilize a catastrophic event within 72 hours. FEMA is implementing a National Preparedness System (PPD-8) to build unity of effort to address the nation's most significant risks. FEMA is supporting state and local governments with efforts to prepare for the impacts of climate change through "adaptation," which is planning for the changes that are occurring and expected to occur. The private sector has been integrated into federal emergency response, with a permanent private sector liaison at the agency, representation within FEMA's National Response Coordination Center, and the creation of the National Business Emergency Operations Center. FEMA has strengthened partnerships with voluntary agencies, including the formalization of the roles of FEMA and the American Red Cross as co-leads for national level mass care operations. Additionally, the function and access needs of people with disabilities have been integrated into all planning efforts, led by FEMA's new Office of Disability Integration Coordination. In September 2011, FEMA released the National Disaster Recovery Framework, defining Recovery Support Functions for federal agencies and the overall process for communities to rebuild stronger, smarter and safer.

Prior to coming to FEMA, Fugate served as Director of the Florida Division of Emergency Management (FDEM). Fugate served as the Florida State Coordinating Officer for 11 Presidentially-

declared disasters including the management of \$4.5 billion in federal disaster assistance. In 2004, Fugate managed the largest federal disaster response in Florida history as four major hurricanes impacted the state in quick succession; Charley, Frances, Ivan and Jeanne. In 2005, Florida was again impacted by major disasters when three more hurricanes made landfall in the state; Dennis, Katrina and Wilma. The impact from Hurricane Katrina was felt more strongly in the gulf coast states to the west but under the Emergency Management Assistance Compact or EMAC, Florida launched the largest mutual aid response in its history in support of those states.

Under Fugate's stewardship, the FDEM program became the first statewide emergency management program in the nation to receive full accreditation from the Emergency Management Accreditation Program.

Fugate began his emergency management career as a volunteer firefighter, paramedic, and a Lieutenant with the Alachua County Fire Rescue. Eventually, he moved from exclusive fire rescue operations to serving as the Emergency Manager for Alachua County in Gainesville, Florida. He spent a decade in that role until May 1997 when he was appointed Bureau Chief for Preparedness and Response for FDEM. Within FDEM, Fugate's role as Chief of the State Emergency Response Team (SERT) kept him busy in 1998, the SERT team was active for more than 200 days as a result of numerous floods, tornadoes, wildfires, and Hurricane Georges.

Fugate and his wife Sheree hail from Gainesville, Florida.

## DISASTER REQUIREMENTS FUNDING

Mr. CARTER. Well, very good. That is a good summation and a big picture.

Administrator, your budget requests \$7.3 billion to fund all known disaster requirements, including funding for new events. Is it sufficient funding to address Hurricane Sandy needs as well as other ongoing disaster requirements, including projections for expected future disasters? I note that you carried over almost \$7 billion from fiscal year 2014 to 2015 to include over \$2 billion in base discretionary funds.

Why do you continue to ask for new appropriations when you are carrying over significant funds from prior years? I think that the balance in the DRF as of the first of this month is \$10.5 billion.

Mr. FUGATE. Mr. Chairman, on the basis of the outstanding work that is still to be done in Sandy and going all the way back to Katrina, we are basing the request on the amount of work that we are anticipating can get done. There are variables there that as State and locals go through this process, their timelines will drive when we are able to make those awards and obligate those dollars. So as we continue to move forward, this is based upon what we know are projects that are in the system, projects that we know are coming online, as well as maintaining the capability to deal with disasters outside of the known world.

Part of this too is also ensuring that we maintain a balance within the DRF, and that—Mr. Chairman, I want to explain this, because I think when we talk about the balances of the DRF, it is not just the disasters that have happened. It is what could happen. And one of the things we learned after 2011 is if we don't maintain balances there for large systems, we force Congress into going into supplemental funding discussions oftentimes without a lot of the information about a disaster. By maintaining a balance, and we have been working with a balance of about \$1 billion, and we have some justification behind that, behind what it took to respond to Sandy and what it could to respond to a large hurricane or other event, it gives us the ability not to turn off previous disaster work, which we have had to do before. It allows us to respond to the immediacy and the immediate lifesaving needs and individual assistance needs, and it gives Congress time to deliberate a supplemental package if required once the facts become known.

We saw early in the floods in Colorado that with this balance, we were able to meet the needs without a supplemental, although early on people thought it would require a supplemental. As the facts bore out, you had fully funded us. It had anticipated events of that size. We did not have to disrupt any other work going on in previous disasters.

So again, Mr. Chairman, I will work with you and your staff because this is a moving target. And, again, I don't want to build large balances there that I don't justify, but I also want to maintain a reserve in that balance so that if we do face the next large-scale disaster, I am not having to come to you for a supplemental before we have all the information or potentially shut down recovery work going in previous disasters. But as to what that balance should be, how much we should be carrying over, I will work with

you on that, but I just want to make sure that as we do that, we keep in mind that I am trying to also ensure that as a fiscal steward, I am not placing you in the situation of looking at a supplemental early into a disaster because I am running out of money, and we don't have all the information to make the best determination of how much we may need to manage that event.

#### HURRICANE KATRINA PROJECTS

Mr. CARTER. Just out of curiosity, Katrina was over 10 years ago. Wasn't it?

Mr. FUGATE. Yes, sir.

Mr. CARTER. Do we still have projects we need to finish following the Katrina disaster?

Mr. FUGATE. Mr. Chairman, we still have projects we have not finalized. I have been working with the mayor of New Orleans, which has several of these large outstanding projects, and he and I are in agreement that by June, if our staffs have not hammered out the final agreements on that, he and I will personally engage to get this resolved, and we are both of the mind that this has taken far too long. And this is one of the things that you helped us with the Sandy Recovery Improvement Act. You gave us tools to hopefully head off some of these open-ended obligations that never seem to get resolved, particularly with Katrina at 100 percent. It has given us new challenges as to trying to get to what is eligible versus what else may be there that is getting, you know, looked at and trying to separate out 10 years later what was actually caused by Katrina and what wasn't so we fund what we have need to fund.

Mr. CARTER. That seems to be a bottomless pit of money. I would like to see a grand total of how much we have spent on Katrina, but I bet it is a figure that will curl your hair.

Mr. FUGATE. From FEMA's side, Mr. Chairman, we will prepare that, and I have a—I think a—what the boundary is for how much more, but until I actually have final projects, I cannot say for certainty what that final number is going to be. But one of our largest projects, again, we are working with the city—it is not even really a city project. It is a water and sewer board project of trying to get to the final settlement on that so we are not, you know, next year still talking about, well, how much more will we be paying on Katrina? We will know how much we are going to owe. It will be obligated. It may take them several more years to draw all that down, but we will know what that bill is.

[The information follows:]

**Representative Carter.** I would like to see a grand total of how much we have spent on Katrina.

**RESPONSE.** As of April 30, 2015, FEMA has obligated \$42.6B for emergency and major declarations related to Hurricane Katrina.

#### WILDFIRES

Mr. CARTER. Well, you know, I live in hurricane alley and tornado alley, and, you know, we are all for getting help. But that sure seems like a long time.

Let's talk a little bit about wildfires because this is something we have a lot of in our State. Not in the big woods, but out on the

plains where they go 100 miles an hour and burn up the whole panhandle.

Address what FEMA can and can't do under existing authorities, and where is the line between Federal and State responsibilities for wildfires, firefighting equipment, and whether it is on Federal lands or on private lands.

Mr. FUGATE. Well, because of the economy acts on Federal lands, the authorized and appropriated agency is the U.S. Forest Service. If it is on State lands or private lands or individual landowners or municipal or government property, that really comes down to the State. And one of the two programs that we have—or actually the major divisions—is a program called the Fire Management Grant Program, which is authorized in the Stafford Act using DRF funds to support a State when firefighting costs exceed their annualized routine cost. Basically it is designed to deal with extraordinary wildfire seasons. And it has provisions to pay for various aspects of that, including staging, pre-staging equipment, the response cost itself, and some of the other agencies that may be required.

The other program would be a major Presidential disaster declaration. Primarily, when we get into large impacts to either individual assistance because of the number of homes destroyed that weren't insured, or because of damages to uninsured local or State property. But the—one requires the President to approve, and that is the declaration for a major disaster. The fire management grants were given that authority to make those determinations in conjunction with a principal adviser who is usually a forest service retiree that can assist in that. But it is based upon the State's impact. States—usually their State Forestry Commission or Division of Forestry manage this. And it is based upon if it has exceeded, or is exceeding their budget—what they normally do. We treat it similar to snow where you have routine recurring fire expenses when you have extraordinary cost, and you have events where you have loss—significant loss of property or the potential for that, then the fire management grants are awarded and then it is a 75 percent cost share of the eligible cost.

Mr. CARTER. Okay. Thank you.

Ms. Roybal-Allard.

#### DISASTER DECLARATION PROCESS

Ms. ROYBAL-ALLARD. Administrator Fugate, FEMA's current process for making recommendations to the President for major disaster declarations may not always consider all the relevant factors, including localized impacts. Both the fiscal year 2015 House and Senate reports ask FEMA to review its disaster declaration process and consider revising its criteria to more effectively evaluate the need for Federal assistance.

Do you agree that improvements are needed in FEMA's disaster declaration process? And if so, can you give us an idea about the kind of changes FEMA is considering?

Mr. FUGATE. Well, given my interaction with various Members of Congress, I can tell you there are those that say I declare too many disasters and those that say I don't declare enough. And as a wise man once said, all disasters are local. So California, Illinois, Florida, other States, New York, they have large populations but also

have small rural communities. Oftentimes they find themselves at a disadvantage, because, in many cases, people think disasters locally that are significant should warrant a Presidential declaration, but when taken in light of the State, State capabilities and State resources, we oftentimes determine it did not reach the threshold. And I guess this is the challenge of communication. Disasters are not based upon the localized impacts. They are based upon the ability of the State to manage those impacts. And when it exceeds that capability, that is where you look at the Stafford Act supporting it.

You do look at some of the trauma at local levels, but most of the time this is really about the cost of rebuilding. It is about the uninsured losses. And so as we looked at this on one hand, I am also being told I declare too many disasters. So we are looking at these factors. We are looking at more clarity in that to give States a better idea what local factors we do look at. We do look at trauma. We do look at disadvantaged populations. But in taking in light against the size of a State and the State resources, it is, again, a challenge. And I know there has been several attempts to look at more rural areas of large population states. Well, could we not do something differently there? Again, we will work with Congress, but as we see the Stafford Act, it is really based upon a Governor's request and the State's capability, and what a State could do in those situations with the resources they have before we go to the Stafford Act.

#### HAZARD MITIGATION GRANTS

Ms. ROYBAL-ALLARD. Fire management grants tend to be relatively small. And one awarded last week to the California Department of Forestry and Fire Protection earlier this week was just over \$1 million. But they are extremely important to wildfire-prone areas like California that regularly have wildfires, such as the one that we experienced last week. This is of even greater concern, especially for California, during these times of drought.

We included a provision in the fiscal year 2015 bill that authorized FEMA to provide hazard mitigation grants to the recipients of fire management assistance grants. Given that the fiscal year 2015 bill was enacted less than 2 months ago, can you comment on how FEMA plans to implement this authority? And will there be limitations or expectations related to how States will use these hazard mitigation funds?

Mr. FUGATE. Traditionally hazard mitigation funds have only been made available in a major disaster declaration that the President has authorized. So part of our challenge is going to be the fact that we are now including hazard mitigation outside of our Presidential disaster declaration and what are the ramifications of that.

Once we have clear direction on that, I think as far as administering what would be eligible, generally if we were in this situation, we make hazard mitigation dollars available to the Governor to disburse within the program, not even tied to the hazards that caused it. Governors sometimes, because they may have had an event but they have other things they want to get to, have used their mitigation dollars—an example, they may have floods, but they used the mitigation dollars to build safe rooms for tornadoes.

So we give the States a lot of flexibility. We also allow the Governor to determine where they are going to designate those hazard mitigation dollars, if it is just for the counties declared, if it is statewide. And within the program, I don't think the issue of administering the grants is going to be getting to the fact that we have not provided hazard mitigation grant dollars outside of a major Presidential—we have never provided them for fire management grants. We don't provide them for the emergency declarations, which are also declared by the President.

So this may increase the threshold and oversight required to get fire management grants in the future if it is determined that adding mitigation will treat this more as a—as an event that requires the Presidential approval versus what we can approve on our own.

#### EMERGENCY FOOD AND SHELTER PROGRAM

Ms. ROYBAL-ALLARD. Okay. The budget, again, proposes to reduce funding for the Emergency Food and Shelter Program by \$20 million, or 16.7 percent. And, again, it proposes transferring the funds and administrative responsibility for the program to the Department of Housing and Urban Development. We included language in the fiscal year 2015 statement directing FEMA to develop both a plan for outreach to stakeholders, and a transition plan prior to reproposing the transfer of the program. Congress was, of course, late in getting the fiscal year 2015 funding to you, but I hope that you can still respond to my question regarding the statement language.

First, can you remind us of the basic rationale for moving the Emergency Food and Shelter Program over to HUD, and then what kind of stakeholder outreach has been conducted? And do you feel confident stakeholders, particularly the Emergency Food and Shelter board, understand and are supportive of transferring the program?

Mr. FUGATE. Well, the reason why is straightforward. Although the word is emergency, this program is for homeless shelters and for food banks. Although we work with them in disasters, it is not a core mission of FEMA. And so I have read numerous reports from Congress and the General Accounting Office that says agencies should avoid duplication of programs that should be somewhere else that are better equipped or have that as their core mission. So this is not saying that food banks and shelters aren't important. We think they are. That is why we recommend a transfer versus an elimination.

We have been doing outreach. Quite honestly, it is somewhat flattering and disconcerting that a lot of the groups would prefer to work with us. So I think there—it is who you know versus what may happen in the future. But we think that HUD is the appropriate agency. We have been working with HUD. I will not tell you that everybody is in agreement on this, but we have been doing outreach—you know, doing the outreach. We have been talking to people. We have been explaining why we want to do this. Because, again, it is not our core mission. We think it is an important function. And we do work with these groups in disasters.

But if you go back to why they were placed in FEMA, it is more of an appropriations decision. And we think that, you know, now that we know more about what the capabilities are, what the program does, we think HUD is a better home for it long term, closer to HUD's mission, groups they work with through other parts of the grant programs.

So it is not a shirking of responsibility. And I am sure there are some folks that because they work with FEMA a lot would prefer it to stay with FEMA. I will, of course, do what the Congress directs us to do with the appropriation.

Ms. ROYBAL-ALLARD. Okay. And just very quickly, is there a plan in place for transitioning the program, and will it continue to exist as a distinct program with this current program structure?

Mr. FUGATE. As I understand it, we are in discussions with HUD. I would have to have staff get back to you. Last note I saw was it was in their counsel's office. But we have continued to work on this pending the decision from Congress where this program is and to what level it is funded. But I will have staff respond back to the details of where we are at in those discussions.

[The information follows:]

**Representative Roybal-Allard.** Is there a plan in place for transitioning the program with this current program structure?

**RESPONSE.** FEMA and HUD have jointly developed a draft transition plan, and outreach strategy for engaging local stakeholders, in support of the proposed transfer of the Emergency Food and Shelter Program (EFSP) to HUD. HUD leadership is presently reviewing the transition plan and FEMA and HUD look forward to briefing the House and Senate appropriators when the plan is finalized. FEMA is keeping the National Board apprised at the board's monthly meetings of all progress and developments concerning the proposed transfer. FEMA and HUD leadership continue to meet on elements required to successfully transfer the program.

A separate working session, which includes representation from FEMA and HUD, is being planned by the National Board by the end of June to discuss the proposed transfer in FY16 and to review and analyze the McKinney-Vento Act in terms of what authority may be needed to permanently transfer the program for all out-years.

Mr. CARTER. Mr. Frelinghuysen.

#### URBAN SEARCH AND RESCUE PROGRAM

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

Mr. Fugate, you have a well-deserved reputation for evenhandedness. Thank you. And from time to time, I have witnessed you fending off a lot of political action. And may I say you have always done it in a very professional way. I just wanted to thank you.

A burr under my saddle for quite a number of years is something called New Jersey Task Force One. This is an urban search and rescue team that was first—first non-New York group to be on the site of that incredible disaster of September 11, 2001. I have repeatedly written, and certainly have since I know that Secretary Johnson is one of my constituents, but I have repeatedly written him and you and urged the committee to designate that very professional team that has been at it for a long time as one of your—as one of your teams, and I certainly want to renew that plea today that those—that that team continues to do a remarkable job.

And I note in the study that FEMA recently conducted a exercise up in the New York/New Jersey area that related to tanker cars

on trains, and we have chemical alley up there, all sorts of things that could be highly explosive, in the hands of terrorists could be extremely dangerous to people in my region. And I just would like to renew that plea because it is not as if they aren't trained. And I am not sure—if you care to respond, I would be happy to hear your comments.

Mr. FUGATE. Well, because you have told me that I am oftentimes not political and pretty straightforward, it is really a funding issue. That team receives its funding probably at the local level and with some of the Homeland Security grants that come through this committee. If we made them a Federal team, it will come out of the existing Federal dollars for the urban search and rescue teams, and we would dilute that. It has really more to do with the fact that we look at those Federal—the teams we look as Federal as we do fund a lot of their capabilities. We know there are a lot of other teams out there that have similar capabilities that are funded with the State and Homeland Security grants.

So it really would be as we, you know, would consider if you added this team, would we see additional funds go into the urban search and rescue program for that, or would we transfer it out of the urban security funds, or how would we do that? So this is less about, no, they are a team. We would utilize them and have; through mutual aid from the Governors, these teams are utilized. But it really becomes a funding issue. We are capped at how many teams we have on the basis of. If we started adding one more team, I am afraid that we will have a lot more requests, and then it would come back to the appropriations staff to work with us of how would we pay for additional teams—

#### NATIONAL FLOOD INSURANCE PROGRAM

Mr. FRELINGHUYSEN. Respectfully, a lot has happened since 2001. And there were very few teams back then. And you have added substantial—your predecessors have added substantial teams to the overall national network. And I do think sometimes recognize somebody who has actually been doing the job earlier on perhaps would have been better. But there has been a substantial number of teams that have been added.

Let me just focus and let me thank FEMA for some remarkable things you did in the wake of Hurricane Sandy.

Of course, there was a lot of consternation down here about the cost. A lot of it related to, you know, the Katrina experience, but on behalf of the people of New York, New Jersey, and Connecticut, and certainly the chairman and his predecessor and the committee staff, we are awfully grateful for all of the things that have been done.

Could you focus just for a brief minute on some of the litigation issues that relate to—that sort of give, not you, but the program a bad name and a lot of the policyholders—hopefully people take a look at what they subscribe to, but could you talk a little bit about that as part of the overall FEMA experience?

Mr. FUGATE. Yeah. In running a flood insurance company, I am afraid that what I have discovered is we were running a program that put more emphasis at times on protecting the fund than in servicing the policies. Almost all of the biases that I have seen, and

I think has led to a lot of these lawsuits, has been the tendency to look at damages and put more risk on overpayment than—I mean, putting more emphasis on not making an overpayment because we would require the money back.

The issue is whatever is owed, we pay. So this is one of the challenges. Why weren't these policies being fully serviced, because it is not a factor to us? If it is eligible damages, as the insurance policy, we would pay. But we think the bias was because they would have to recoup any money they overpaid, we intend to design a program that put more emphasis on not making overpayments. And I think that has resulted in setting up situations that result in the litigation we are dealing with.

So my direction was pretty straightforward as soon as I became aware of this. If we owe money, pay it. If we think it is fraud, refer that for further investigation with the IG [inspector general] or Justice. If we are going into the litigation, and litigation costs are going to be, you know, such that it is going to be more than what we are talking, because these policies are capped at \$250,000, then I said, move to settle.

If there is no fraud there and we have honest disagreements, and sometimes, looking at these policies, we have set ourselves up in looking at what we are trying to exclude as eligible damages and what isn't, it is very difficult to get to those answers. So if we owe money, pay.

That is, I think, the hard thing for me to understand: why we got in this situation. But I think it is because we weren't putting our customer at the same level we were the fund, and this goes back to being what we say survivor-centric. If we are going to sell a policy, we need to service that policy and we need to treat the policyholders in the same weight to their eligibility as we do to making sure we are eliminating any fraudulent claims.

But I think we spent too much time focusing on not making overpayments than we were making sure we fully serviced those policies.

Mr. FRELINGHUYSEN. So the shift has been made to that degree? Thank you, Mr. Chairman.

Mr. FUGATE. The shift has been made. The leadership has been made. We are changing that program.

Mr. FRELINGHUYSEN. Thank you.

Mr. CARTER. They just sent a notice that our next vote is about 5 minutes after 11:00, so we are going to try to get through this round anyway. So we are going to hold it to 5 minutes.

Mr. Price.

#### LESSONS LEARNED

Mr. PRICE. Thank you, Mr. Chairman.

Welcome, Administrator. I was just observing you are approaching your 6-year anniversary as the administrator of FEMA. And you have heard many plaudits this morning on your service, and I would like to add to those. You inherited an agency that was in great need of attention, in great need of reform, and by all accounts, you have had a lot of success in shaping up the agency after a very difficult period.

I have appreciated personally your cooperation with this committee and with our emergency planners and responders in North Carolina. So I want to maybe ask a bigger-picture question, the sort of thing you were getting at in your opening statement, maybe elaborate that a bit. Your time as administrator, what are some of the lessons we might derive from that?

What kind of problems and challenges have required the most of your time and energy? To what extent is the job done in terms of shaping up the Agency's various components and functions? What are the greatest challenges remaining? And to give a little specificity to this, maybe you could relate this to the strategic plan and the strategic planning process. To whatever extent you can, give your answer in relation to the objectives that you referred to in your opening statement, the objectives that the agency has set out for itself.

Mr. FUGATE. Well, with the management reforms and building that foundation, I think, we are moving in the right direction, but we are not going to be there quickly. And we are asking for some resources in grants modernization, other things to get there. But we have got to do a better job. We can't spend all our time fixing problems we are creating because we can't even hire people.

Our IT systems are out of date and not secure; our procurement process was broken. We brought in new leaders. We have been making changes, but we have also made and held all of the senior leadership at FEMA accountable for management changes; there is an ownership issue here. You just can't tell your chief human capital officer to fix something if the rest of the department always works around them or games the system.

Resiliency, this is probably one that I have the greatest potential to annoy the most people on, and that is, whether you think climate change is real or not. I have a bigger question to ask: Why are we paying out billions and billions of dollars on what anybody in the private sector would have insurance on?

I am not talking about debris, roads, or things like that, but let's talk about fire stations, community centers, water treatment plants, schools, a whole host of public infrastructure that we only pay when there is no insurance. We are paying a lot of money, because in many cases, insurance isn't available. It is not affordable.

And we have oftentimes used mitigation dollars to rebuild, but we always look at narrow slices of data in the last 100 years, and we still find it is not insurable. And so I think, again, as we look at the disaster criteria, I want to look at the threshold for disasters.

Right now, we go back to the first dollars if you hit the threshold for the President-declared disaster. Tell me any other insurance policy that goes back to your first dollar. You always have a deductible. There is no deductible in this. It is a 75/25 percent cost share. So we spend a lot of time on small disasters that, quite honestly, are traumatic for local communities, but much of the cost borne with that, outside of the emergency response cost is what the uninsured losses are.

So we are trying to change that and go, if we rebuild something—and we are doing this in New Jersey and New York—we are trying to look at mitigation not just because of the past data we

have, but actually put enough into that to say, let's build it to where it is insurable, and affordable, and have the private sector manage future risk. We have not done a good job in this Nation of setting the paying point for risk and making sure that, as we make investments, we are not transferring risk to the taxpayer that exceeds what we benefit from that.

I am not saying this is a zero-sum game. There will be some things that make sense for the public to absorb that risk. But in other cases, you look at how many times we go out to a structure that we are rebuilding or spending significant sums on that was not insured, and the rules say it should be insured after we have done that; yet, we go back later and the answer that we are getting is it was not affordable, it was not available, and you pay again.

As a good steward, I think, yeah, that we should pay for the first time. We should rebuild it, but then we should be more stern and hold the accountability to ensure that risk going forward, but that means we have to build it in a way that it is insurable, that the insurance companies can make it available, or it is going to price local governments out of being able to do their basic function.

Mr. PRICE. Thank you.

Thank you, Mr. Chairman.

Mr. CARTER. Dr. Harris.

#### FEDERAL FLOOD RISK MANAGEMENT STANDARD

Mr. HARRIS. Thank you very much. And, you know, before I start, I do want to thank FEMA for obviously the extensive help they have in my district, the eastern shore of Maryland, which you are from Florida, driving through the lower shore of Maryland looks like you are driving through the lower part of Florida.

And that brings up one of the questions I have, which is this new Federal Flood Risk Management Standard that was promulgated by executive order in January. It is a little troubling because the—you know, our bill last year specifically said that none of the funds available in this act or any other act should be used to implement, you know, a Federal Flood Risk Management standard until the administration is soliciting considered inputs from governments, mayors, and other stakeholders.

As you know, that was passed late in the year. And on January 30, the executive order was issued saying, "The views of governors, mayors, and other stakeholders were solicited and considered as efforts were made to establish a new flood risk reduction standard." Were you involved in that, in the development of that standard for the executive order?

Mr. FUGATE. Yes, from the standpoint of the mitigation, senior leadership group that is part of the national response framework.

Mr. HARRIS. And what were the mechanisms by which you solicited? Because I am still trying to find a mayor in my district whose input was solicited. And believe me, they have a vested interest in what the FFRMS looks like because so much of my district has now had an expanded definition because of the BFE plus 2 or plus 3 definition. So how was that input solicited?

Mr. FUGATE. I would not be able to tell you, sir, because I was involved—my staff was basically involved in what the standard

would be, not the outreach at that point. We have been heavily involved since the executive order of doing outreach—

Mr. HARRIS. Let me just interrupt you for a second. From the time the bill was passed until January 30, was your staff paid to develop the FFRMS despite Congress' pretty clear language that says no funds shall be spent without soliciting input. So did your staff develop this without soliciting input? It is a simple—

Mr. FUGATE. I understand it is a simple question. Our staff were working on the standard itself. There are other agencies involved. We have been charged by the administration to go out before this rule is finally implemented and do outreach, which we have been doing across the Nation.

Mr. HARRIS. However, the executive order actually sets up a timeline for implementation, so one could interpret the executive order itself as implementation of the FFRMS, because it specifically says FEMA, for instance, before implementation is supposed to go and do this solicitation. So it sets up kind of a circular argument. I mean, the executive order itself sets up implementation. One could view that as implementation of the new FFRMS. So this is simple because, you know, the Antideficiency Act is pretty clear. When Congress says no funds shall be used, it really means no funds shall be used.

And this administration has kind of a record on this. You know, you are just one in a series of people to come before this committee to address an issue of whether the administration is adhering to the will of Congress spelled out clearly in an appropriations bill.

So I am just going to ask it one more time. To your knowledge, did anyone in FEMA spend money—and I will take it a little bit further because right now—

Mr. FUGATE. Sir, the answer is yes, we were committing staff time at the direction of the administration to work on this as part of our assigned duties.

Mr. HARRIS. Are your employees aware that this applies to everyone not just—the Antideficiency Act applies to every employee of the Federal Government, not just leadership? You know, excuse can't be, well, my boss told me to, if you know about this. Because my understanding is the section 404 is covered, section 203 is covered, the flood mitigation assistance program would be covered by changes to the FFRMS, so I am going to ask you an additional question.

Are any of your employees in those sections, who handle those sections, at this point in time, spending any money to implement the new standard? That is, any planning, writing any projected plans of what the effect would be on these programs? Because this is the essence of what we do in an appropriation limitation riders to say you can't spend a dime.

Are your employees in those programs, section 404, 203, and the Flood Mitigation Assistance Program—because that is what CRS has said, those are the FEMA programs that would come under this new mitigation rule—are they spending money in any way, shape, or form to develop a response to this new executive order?

Mr. FUGATE. Specifically, I cannot say yes or no. I would have to go back to research that. I can tell you we are using our funds to do the outreach and listening sessions across the country. As far

as what staff had taken steps on any implementation, I would have to respectfully get back to you on that, by those programs that you have listed.

[The information follows:]

**Representative Harris:** Are your employees in those programs, section 404, 203, and the Flood Mitigation Assistance Program—because that is what CRS has said, those are the FEMA programs that would come under this new mitigation rule—are they spending money in any way, shape, or form to develop a response to this new executive order?

**RESPONSE:** Consistent with the requirements set forth in section 749 of the Consolidate and Further Continuing Appropriations Act, 2015, FEMA has solicited and is currently considering input received from stakeholders during the public comment period for the revised guidelines pertaining to the Federal Flood Risk Management Standard.

Mr. HARRIS. Well, I would appreciate that, that you get back to me, because, again, section 749 in H.R. 83 is very, very clear. It says no funds. So please get back to me if, in fact, FEMA is, you know, coming before this committee to ask for funds for next year and actually disregarding the intent of the Appropriations Committee in this year's appropriations.

Thank you, Mr. Chairman. I yield back.

Mr. CARTER. Mr. Cuellar.

#### GRANTS: PERFORMANCE MEASURES

Mr. CUELLAR. Mr. Chairman, thank you so much.

Administrator Fugate, I appreciate you bringing your training from the State level, and I think you have been doing a good job, and I appreciate the good work that you and your folks have been doing.

Members, one thing I would like to point out is, back in 2010, we passed a law that called for more strategic planning on how we spend our dollars and make sure that we have performance measures to look at that. And, in fact, if you look at the Administrator's testimony, you will see a break down where it has strategy No. 1, strategy No. 2 following that law, so I appreciate the work that you are all doing.

My question is, for many years, I had—if we give grant money to local communities, how do you measure the work that—and we have been talking about this, I guess, almost for 5, 6 years. But how do you measure the work that if you give money to somebody that they are following the measures or the performance that we should instead of just giving money out? Because we have given out billions of dollars over the years. So what do we get for that bang of a dollar when we give them to local communities?

Mr. FUGATE. Thirteen lives saved just in one program. That has happened this year through some of the fire grants that were given to the Red Cross to place smoke detectors in targeted areas using big data that we derived from our National Fire Reporting Information System. It targeted our communities that had underrepresentation, did not have fire and smoke detectors, and have an unfortunately higher loss of life. We tied that together, and Red Cross reported back there has been 13 saved since we have done that.

We use our fire or our threat hazard reduction reviews as they report up, as well as our State preparedness reports, and we can now show where States have built capacity in areas that they iden-

tify were their shortfalls and are now shifting those resources to the other areas of the 31 areas of categories that we look at to build resiliency and preparedness across the Nation.

We have, in a lot of cases, anecdotal cases where we can show you because of investments in funds. One example, the mudslide in Oso, Washington State, where the people that were saved were saved with a helicopter that was equipped with a hoist. And rescue equipment provided through Homeland Security funds were—in many cases, the only people who survived were those who were extracted by helicopter, that and the Coast Guard did the saves. If that capability had not been there, we would have lost more lives.

So we can go back to both point examples of where those investments have been involved and responses have changed as outcomes, as well as showing you the trend lines of how we are moving and improving preparedness.

We also do this against the threats and hazards, and we do this in your catastrophic planning as part of our strategic plan. We know that we will never be a Nation that can fund one agency to respond to catastrophic disasters. That has got to be built up with State and local capabilities. The mutual aid, as the Congressman from New Jersey points out about the urban search and rescue team, we have to look at these as national resources.

Whether or not we fund them directly, they are getting built with these Homeland Security dollars. So it is the capacity as a Nation, as we build local capabilities that are shared through mutual aid, in what we do; we are seeing these outcomes change.

#### UNACCOMPANIED CHILDREN: REIMBURSEMENT TO LOCAL COMMUNITIES

Mr. CUELLAR. Well, I appreciate, because I think you are one of the few folks that come before our appropriations and follows that strategy-type of thinking, makes sure that we are driven on performance. So thank you.

Second thing is, I certainly want to thank the chairman, the ranking members, and the committee, because we added in this current homeland appropriation bill that we just passed just recently, language dealing with the unaccompanied kids, what we would reimburse poor communities on the border that had to deal with the kids coming in. There is some language there that calls for reimbursements to local communities. We have got to work with the State.

I know the State of Texas—and I am going by memory—has from 2013, 2014 about \$25 million. They haven't been drawn out but they are saying it is all obligated, which I do question, because it is 2013, 2014. 2015, I think—or the recent—the last one that you all just announced, you sent another \$22 million. I would ask you to please work with the State of Texas, my colleagues there, to make sure that they understand about talking about enforcing the law, that the law does say that these moneys are to be used for reimbursement purposes for the communities, the poor communities on the border that have to deal with thousands of kids coming in.

Mr. FUGATE. We will take that work with our grants folks, and I will work back with your staff to make sure we are getting the appropriate language when we are talking with our State partners.

Mr. CUELLAR. Yeah. And your folks have been fantastic. They really have. I just want to make sure that the State of Texas, when we talk about border security, that it also includes this reimbursement on that. So thank you, Mr. Administrator, for the good job that you are doing.

Mr. CARTER. Thank you.

Mr. Fleischmann.

#### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Mr. FLEISCHMANN. Thank you, Mr. Chairman.

Mr. Administrator, it is good to see you this morning. Before I begin my questions, I do want to harken back to a time when I was a freshman Congressman in 2011 and 2012. We had tornadoes come through east Tennessee, my district; in fact, I had been in office less than 4 years. And I want to commend and thank you all at FEMA for the way that you responded. In the first round of storms that were actually fatalities, and it was a disaster like nothing I had ever personally experienced. And FEMA was there and worked hard over the next several months to reimburse the communities. So thank you. I really appreciate your-all's efforts at that difficult time.

I wanted to ask you some questions this morning. Your budget, sir, proposes level funding for the Emergency Management Performance Grant Program, which is incredibly popular among States, and has been crucial in my home State of Tennessee. Your budget also proposes a number of funding increases, sir, including a re-proposal of a new national prepared grant program.

Given the current fiscal situations and the many needs facing your agency, wouldn't it make sense for you to focus resources on proven efficient programs like EMPG, which employs a 50/50 cost share structure, and areas of highest need and risk? And do you have any plans to eliminate the EMPG program or any other current grant programs in an effort to shift resources to these newer perhaps unproven programs, sir?

Mr. FUGATE. The simple answer to your last question is no. And probably what makes the Emergency Management Performance Grants, I think, one of the best bargains for the Federal taxpayer is, unlike a lot of other grants, there is a 50/50 cost share. So it is a shared responsibility to build capability at State and local level.

It has been increased by this Congress over time to levels that it had not been before. And, again, as we were dealing with sequestration and other budgets, we have been working hard. And I appreciate the staff here. This has been a grant that has been shielded against some of the other reductions. But, again, it is, as you point out, a good value. It has a cost share match at the State and local level. So it is a shared responsibility. And we have no intention of recommending that grant losing its identity or being consolidated.

## DISASTER WORKFORCE READINESS: PERFORMANCE MEASURES

Mr. FLEISCHMANN. Thank you.

This past year, you implemented a system to measure the readiness of your disaster workforce.

Mr. FUGATE. Yes, sir.

Mr. FLEISCHMANN. It is very similar to how DOD measures readiness and capability to deploy. What led you to develop this process, and how will it change how you train your staff, equip disaster personnel in the future?

Mr. FUGATE. We needed to target the drive, our investments and justifications of budget. I just couldn't say, well, I need 25,000 people. Well, what kind of people do I need? Who do I need? Do I really need 25,000? So we went back and did the data analytics and responded to a large catastrophic disaster, or a lot of other types of events. You know, we looked at 2011. We looked at what it took to respond to Katrina, what it took to respond to Sandy, and said, if you are going to build this, who do you need, and how many people do you need in each category, and what training do they need?

So we are now driving this by an events-driven scenario; we are not just coming up with a number. We are also showing where we have progress, where we have gaps, and where we need to make investments both in training, equipment, and recruitment. And it is based upon the idea that disasters don't come one at a time, and we have to have the capability to begin that initial response.

We can always add staff once we are in a response, but we have to have core staff there to deal with the initial response, and so this is what this number represents. It represents being able to respond to a catastrophic event with associated other activities that will be occurring to ensure that we can provide that initial response coordination.

And it gives us very specifically, by category, a type of person and numbers that we need to achieve that. Then it gives us the measurement to say what progress we are making, and how much we need to invest to get there so that we can come back, as the appropriation staffer is saying, what is your justification? I can show them what the justification is. And, again, as part of this negotiated process, if I can't defend my numbers or back them up, I don't deserve the funds.

## DISASTER WORKFORCE READINESS: LEVELS

Mr. FLEISCHMANN. Okay, sir. As a follow-up to that question, then, we are currently at D-3 levels of readiness, which means you can meet moderate to single significant disaster staffing needs. When will you reach D-1, and will you need additional funds to get up to a D-1 level of readiness?

Mr. FUGATE. Well, D-1 would be optimized, and I am not sure that it is both possible, just because of the nature of the workforce, that we would get and maintain D-1. We will strive for each category, but what I think is more practical is getting us across the board to a D-2 category so we have that overall ability to deal with it.

D-1, it is going to be hard to maintain that, but that is what we shoot for. But I think more realistically, with the resources we

have and the time frames, our first goal is to move us into a D-2 category by bringing up enough of those scores to give us that capability.

Mr. FLEISCHMANN. Thank you.

Mr. Chairman, I will yield back.

Mr. CARTER. Mr. Culberson.

#### FEDERAL FLOOD RISK MANAGEMENT STANDARD

Mr. CULBERSON. Okay. Thank you.

Mr. Administrator, I appreciate you being here today. I want to confirm my understanding is that FEMA did not consult with the governors or mayors; the White House did that consultation?

Mr. FUGATE. I would not be able to speak on the White House. I know what my staff were working on. My staff were working on the technical pieces of working what degree of elevation based upon elevation and how would we calculate that.

Mr. CULBERSON. And the executive order is, as Dr. Harris said, does contain the implementation to language. And I also wanted to make sure to bring this to the subcommittee's attention, and you in particular, Mr. Chairman, that the way I read this, Mr. Administrator, that the previous executive order on the Federal Flood Risk Management standard was that those areas that are subject to a 1 percent or greater chance of flooding in any given year, it is essentially a 100-year flood?

Mr. FUGATE. Yes.

Mr. CULBERSON. And as in a case with BlueCross, when—excuse me, whatever the Medicare reimbursement rate is on a particular service provided by a doctor, that tends to become the benchmark by which BlueCross, Aetna, and private insurance carriers then set their rates for what they are going to cover, and how much they are going to charge for it.

Similarly, when FEMA does this and says this is what we believe the area that we are going to classify as under, you know, the Federal flood risk, that area then becomes subject to insurance premiums that are set according to your standard, the building codes, everything else, right?

Mr. FUGATE. Yes, sir.

Mr. CULBERSON. And by this change, what they have done is gone from 1 percent or greater chance of flooding, you have changed that to .2 tenths of 1 percent. And is that a 1,000-year flood or a 500? I think it is 500.

Mr. FUGATE. It probably is 500. But the intention here is, and, as my understanding is, and what we had agreed to in this, this is only implying to Federal investment.

Mr. CULBERSON. Well, Federally-funded projects, however just like I said with Medicare, when Medicaid reimburses at a particular rate that makes the insurance—

Mr. FUGATE. We made a firewall between distant flood insurance. We are keeping this separate from flood insurance. We are not changing that.

Mr. CULBERSON. Right. But—

Mr. FUGATE. What we are saying is, if we are going to go build a critical infrastructure and rebuild it, a lot of times my cost-benefit analysis would not allow me to get to 2 to 3 feet, even if the

locals wanted to, and we have had them flood out time and time again. Because that 1 percent risk in a coastal community in a storm surge usually gets wiped out.

So this was focused on where we make investments in building with Federal dollars, Federal infrastructure or Federal grants to bring them up to a higher standard. And in some communities they already had this. In the city of New Orleans, you have to build 3-feet above that even though your 1 percent risk is below that.

Mr. CULBERSON. Sure.

Mr. FUGATE. They were having to fight Federal agencies to comply with their own ordinances.

So this focus is, if we are going to spend Federal dollars, we have got to build for the future. If we only do it 1 foot above base flood elevation, that is a significant investment. And if we get hit again, we are coming back for more money. We are just trying to make an investment that is an incremental cost increase in Federal dollars on Federal projects and constructions to not have to come back when it floods the next time. It is not tied to local ordinances. It is not tied to the flood insurance. Those maps are tied to a different program.

Mr. CULBERSON. That may have been your intent, but I have already met with homebuilders in Houston and they are very alarmed by this, because it has already had the effect of having their insurance carriers contact them about driving up their insurance premiums, that it is going to drive up insurance premiums for homeowners. I am just telling you this is a fact.

Mr. FUGATE. Because the only company that is writing flood insurance for most of the country is the Federal Flood Insurance Program—

Mr. CULBERSON. This is already happening.

Mr. FUGATE [continuing]. We have not made—the notices they are getting for flood insurance are a different program not tied to this.

Mr. CULBERSON. This is already the conversations. These are already happening right now, on the ground, right now. I can tell you, the homebuilders are up in arms over there, and you all are going to be hearing about it all over the country. And their buildings codes are going to have to—they are already being told you are going to probably have to change the way in which you—you may have intended it only apply to Federally-funded projects, but you are going to have to be extraordinarily careful.

You have got two problems here: One, the administration appears to be, Mr. Chairman, in violation of the specific prohibition, as Dr. Harris pointed out; and then number two, the way you have designed this is that you have just now—the homebuilders just sat down with me on this and they are very alarmed because they are going to have—they said essentially what this does is put all of Texas south of I-10 and east of I-35 in the floodplain. And it is going to drive up dramatically the cost of building, of insurance. Homebuilders are absolutely apoplectic over this, with good reason. And it doesn't appear you followed what the appropriations bill and law requires you to do.

And this is a dramatic change, Mr. Chairman.

And I notice also that it appears to be based on the climate action plan prepared by the President's National Security Council, which, of course to me, I wish he would pay as much attention to ISIS and what is happening in the Middle East as he has got his national security staff worrying about climate action. But that, I digress.

But you have got two big problems here, and at least important, Mr. Chairman, and the subcommittee, that you have created a lot of problems that you say it may not have been your intent, but you have created a lot of problems and I think we are going to have to deal with, Mr. Chairman, to help alleviate concern and costs among our homebuilders in the private sector and, frankly, the State of Texas for that matter.

Thank you, sir.

Mr. CARTER. Thank you, Mr. Culberson.

And I am as concerned as Mr. Culberson about this issue. My folks in my State are very concerned about it.

We have got a vote called. We have made it through a round of questioning, and now we are going to adjourn this meeting. Thank you for coming. As always, you do an excellent job of communicating with this committee. Please continue to do that.

Mr. FUGATE. Mr. Chairman, and, again, on the basis of the concerns raised by several members about the Federal floodplain management standard, I will have staff prepare briefings, and we will sit down and have staff meet with members to go over the concerns.

[The information follows:]

**Representative Carter.** And I am as concerned as Mr. Culberson about this issue. My folks in my State are very concerned about it.

**Administrator Fugate.** Mr. Chairman, and, again, based upon the concerns raised by several members about the Federal floodplain management standard, I will have staff prepare briefings, and we will sit down and have staff meet with members to go over the concerns.

**RESPONSE.** Deputy Associate Administrator Wright met with HAC staff and Chairman Carter's staff on April 28, 2015.

I have already got one extension I have built into the system, so I am trying to make sure we get everybody—

Mr. CARTER. Well, floodplains really affect building in our State. Thank you.

Mr. FUGATE. Yes, sir.

**QUESTIONS FOR THE RECORD SUBMITTED BY****THE HONORABLE JOHN CARTER**

**W. Craig Fugate, Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security**  
Committee on Appropriations  
Subcommittee on Homeland Security  
FY 2016 Federal Emergency Management Agency's Budget Request  
April 23, 2015

**Reception and Representation****Question 1:**

How does FEMA plan to utilize its reception and representation expenses in 2016? To date, how much has been spent in 2015 and what is the plan for the remainder of the fiscal year? Please provide details on each expenditure.

**ANSWER:** As of May 14, 2015, FEMA has not spent ORR funds and does not have specific official reception and representation events planned for the remainder of the fiscal year.

**Hiring****Question 2:**

Please list the number, by office and pay grade level, of all FEMA employees hired non-competitively in fiscal year 2014 and explain why this was necessary.

**ANSWER:** FEMA uses non-competitive hiring in limited circumstances to address specific mission-essential needs. Non-competitive hiring is necessary to provide FEMA with hiring options that expedite the time it takes to bring on new employees in comparison with the timeframes under traditional recruitment methods. OPM has also approved several Government-wide appointing authorities, which permit or require agencies to either non-competitively hire and/or convert employees to career or career-conditional appointments from excepted service positions. Such non-competitive hiring authorities include: Veterans Recruitment Authority (VRA), 30 percent or more disabled Veterans Authority, Schedule A (Disability Appointing Authority, Cyber Security Professionals, etc).

Organization	Grade															Grand Total
	00	01	02	03	04	05	06	07	08	09	11	12	13	14	15	
AD - Exec Secretariat	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
AD - Law Enforcement	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
AD - Dsby Int Coord	28	0	0	0	1	0	1	0	0	1	3	0	0	0	0	34
External Affairs	15	0	1	2	3	2	0	0	0	4	1	0	1	0	2	31
Chief Financial Ofcr	0	1	1	5	1	2	1	0	0	1	2	1	4	0	0	19
General Counsel	4	0	0	1	1	2	0	1	0	0	1	0	5	7	3	25
Policy & Pgm Analysis	0	0	0	1	3	0	0	0	0	1	0	1	0	0	0	6
Equal Rights	4	0	0	1	1	0	0	1	0	0	0	0	0	0	0	7
Response & Recovery	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2	3
RR - Response Dir	59	0	0	1	2	0	0	0	0	10	6	7	4	0	0	89
RR - Recovery Dir	45	0	0	2	4	17	1	59	0	29	25	30	12	1	1	226
RR - Logistics Dir	3	0	0	0	2	0	0	0	0	0	1	1	0	0	0	7
RR - FCO	1	0	0	0	0	0	0	0	0	0	0	0	0	0	3	4
Mission Support	0	1	1	0	1	0	0	0	0	0	0	0	0	0	0	3
MSB - CAO	4	0	0	1	0	0	0	0	0	0	3	3	0	0	0	11
MSB - CIO	12	2	0	0	3	0	0	1	0	2	3	5	3	0	0	31
MSB - CHCO	0	0	1	1	2	5	2	1	0	7	4	3	1	1	0	28
MSB - CPO	0	2	3	4	0	1	0	2	0	3	0	0	1	0	0	16
MSB - CSO	1	0	0	2	5	1	0	5	0	9	4	9	1	0	0	37
MSB - EBU	0	1	1	0	0	1	0	1	0	0	0	0	0	0	0	4
Protection & Nat Prep	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
PNP - Nat Prep	0	0	0	0	4	5	0	0	0	2	5	1	0	0	0	17
PNP - Grants	0	0	0	0	4	1	0	0	0	0	0	0	0	0	0	5
PNP - NCP	0	0	0	5	4	3	1	0	0	0	0	0	0	0	0	13
PNP - NCRC	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Fed Ins & Mitigation	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
FIMA - Mitigation	20	1	0	1	3	0	0	0	0	0	0	5	2	0	0	32
Fire Administration	0	1	1	2	3	0	0	0	0	0	0	0	0	0	0	7
Region One	8	0	0	0	0	5	0	1	0	1	1	1	0	0	0	17
Region Two	17	0	0	0	0	3	0	0	0	0	1	8	4	2	1	36
Region Three	5	0	0	0	0	1	0	1	0	1	3	2	0	0	0	13
Region Four	36	0	0	0	0	2	0	0	0	0	2	2	0	0	0	42
Region Five	28	0	0	0	0	3	0	0	0	3	4	4	0	0	0	42
Region Six	19	0	0	1	1	2	0	1	0	3	2	2	0	0	0	31
Region Seven	13	0	0	1	1	2	0	1	0	0	3	5	1	0	0	27
Region Eight	67	0	0	0	1	4	0	0	1	1	0	4	0	0	0	78
Region Nine	0	0	0	0	1	0	0	0	0	0	1	4	0	0	0	6
Region Ten	8	0	0	0	2	1	0	0	0	1	0	3	0	0	0	15
<b>Grand Total</b>	<b>397</b>	<b>9</b>	<b>9</b>	<b>32</b>	<b>54</b>	<b>65</b>	<b>6</b>	<b>75</b>	<b>1</b>	<b>78</b>	<b>76</b>	<b>101</b>	<b>40</b>	<b>12</b>	<b>12</b>	<b>967</b>

**Contracts****Question 3:**

Please provide for the record, the number of noncompetitive contracts FEMA has entered into in fiscal year 2014, what is anticipated in 2015 and 2016, and 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 approved listings.

**ANSWER:** FEMA has entered in 745 noncompetitive contracts in Fiscal Year 2014 (summary below). Due to the nature of the FEMA mission and the uncertainty of disasters we cannot predict future noncompetitive awards. While we focus on following established regulations and policies, our first priority is to support the needs of disaster survivors.

FISCAL YEAR 2014 <sup>(1)</sup>					
REASON FOR NONCOMPETITIVE CONTRACTS	FEMA ISSUED CONTRACTS	INTER-AGENCY AGREEMENTS	ORDER AGAINST GSA SCHEDULES	ORDER AGAINST OTHER AGENCY IDV	TOTAL CONTRACTS
AUTHORIZED BY STATUTE	24			65	89
BRAND NAME DESCRIPTION				2	2
FOLLOW-ON ACTION FOLLOWING COMPETITIVE INITIAL ACTION	53		66	39	158
FOLLOW-ON CONTRACT	1			4	5
INTER-AGENCY COMPETITION INFORMATION UNKNOWN		120			120
MINIMUM GUARANTEE	1				1
MOBILIZATION, ESSENTIAL R&D				1	1
NATIONAL SECURITY				1	1
ONLY ONE SOURCE - OTHER	13		42	97	152
OTHER STATUTORY AUTHORITY			12	5	17
SAP NON-COMPETITION	29			103	132
SOLE SOURCE			1		1
UNIQUE SOURCE				16	16
URGENCY	2		5	13	20
UTILITIES FAR 41.2			7	23	30
<b>TOTAL NONCOMPETITIVE CONTRACTS</b>	<b>123</b>	<b>120</b>	<b>133</b>	<b>369</b>	<b>745</b>

FISCAL YEAR 2015 <sup>[1][2]</sup>					
REASON FOR NONCOMPETITIVE CONTRACTS	FEMA ISSUED CONTRACTS	INTER-AGENCY AGREEMENTS	ORDER AGAINST GSA SCHEDULES	ORDER AGAINST OTHER AGENCY IDV	TOTAL CONTRACTS
AUTHORIZED BY STATUTE	7			11	18
BRAND NAME DESCRIPTION				3	3
FOLLOW-ON ACTION FOLLOWING COMPETITIVE INITIAL ACTION	13		24	6	43
FOLLOW-ON CONTRACT	6			5	11
INTER-AGENCY: COMPETITION INFORMATION UNKNOWN		35			35
MINIMUM GUARANTEE	3				3
ONLY ONE SOURCE - OTHER	19		16	34	69
OTHER STATUTORY AUTHORITY	2		4		6
SAP NON-COMPETITION				34	34
UNIQUE SOURCE				1	1
URGENCY				1	1
UTILITIES FAR 41.2			7	13	20
<b>TOTAL NONCOMPETITIVE CONTRACTS</b>	<b>50</b>	<b>35</b>	<b>51</b>	<b>108</b>	<b>244</b>

## NOTES:

[1] Data Source: FPDS-NG Competition Report as of May 7, 2015, supplemented with AAMS data to include Inter-Agency Agreements

[2] Fiscal Year 2015 Data is through April 30, 2015

[3] This analysis does not include modification actions. It is a summary of contracts awarded in the timeframe provided

**Question 4:**

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

**ANSWER:** In total for Fiscal Year 2014 FEMA competed 75.67% (\$696,687,871.06).

2013 <sup>[1]</sup>				
Competition Classification	Actions		Dollars	
	Competed Actions	9,074	73.52%	\$ 821,058,575.03
Not Competed Actions	3,188	25.83%	\$ 415,981,445.82	33.55%
Lacking Competition Information	65	0.53%	\$ (468,714.60)	(0.04%)
Excluded from Competition Calculations	16	0.13%	\$ 3,159,423.25	0.25%
<b>Total FEMA Actions</b>	<b>12,343</b>	<b>100.00%</b>	<b>\$ 1,239,730,729.50</b>	<b>100.00%</b>

2014 <sup>[1]</sup>				
Competition Classification	Actions		Dollars	
Competed Actions	8,181	74.89%	\$ 696,687,871.06	75.67%
Not Competed Actions	2,668	24.42%	\$ 222,498,688.00	24.17%
Lacking Competition Information	64	0.59%	\$ (39,975.61)	(0.00%)
Excluded from Competition Calculations	11	0.10%	\$ 1,530,672.76	0.17%
Total FEMA Actions	10,924	100.00%	\$ 920,677,256.21	100.00%

2015 <sup>[2][3]</sup>				
Competition Classification	Actions		Dollars	
Competed Actions	2,958	71.35%	\$ 278,424,002.23	83.86%
Not Competed Actions	1,177	28.39%	\$ 53,624,291.68	16.15%
Lacking Competition Information	10	0.24%	\$ (23,053.24)	(0.01%)
Excluded from Competition Calculations	1	0.02%	\$ (0.00)	(0.00%)
Total FEMA Actions	4,146	100.00%	\$ 332,025,240.67	100.00%

## Notes:

[1] Data Source: FPDS-NG Competition Report as of May 7, 2014

[2] Data Source: FPDS-NG Competition Report as of May 7, 2015

[3] Fiscal Year 2015 Data is through April 30, 2015

**Question 5:**

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

The answer to question 5 would not fit on printed page and will be kept on file at Subcommittee.

**Question 6:**

Please provide for the record a list of all FEMA 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:** No services were performed outside the United States, a list of products/commodities FEMA purchased that were manufactured outside the United States can be found in attachment #6 for the listing. The first tab is a listing of Services which shows none, and the second tab is the listing of purchases that were manufactured outside the United States.

Federal Emergency Management Agency  
 Contracts with Work Being Performed Outside of the United States  
 Fiscal Year 2014 and 2015<sup>(1)</sup>

FISCAL YEAR 2014 <sup>(1)</sup>								
CONTRACT NUMBER	CONTRACTOR NAME	PRINCIPAL PLACE OF PERFORMANCE	DESCRIPTION OF REQUIREMENT	DATE SIGNED	EST. ULTIMATE COMPLETION DATE	DOLLARS AWARDED	FULL PERFORMANCE VALUE	
TOTAL CONTRACTS WITH WORK BEING PERFORMED OUTSIDE OF THE UNITED STATES							\$ - -	\$ - -
FISCAL YEAR 2015 <sup>(2)</sup>								
CONTRACT NUMBER	CONTRACTOR NAME	PRINCIPAL PLACE OF PERFORMANCE	DESCRIPTION OF REQUIREMENT	DATE SIGNED	EST. ULTIMATE COMPLETION DATE	CONTRACT VALUE		
TOTAL CONTRACTS WITH WORK BEING PERFORMED OUTSIDE OF THE UNITED STATES							\$ - -	\$ - -

NOTES:

- [1] Data Source: FPDSONG Bay America Report on May 7, 2015
- [2] Fiscal Year 2015 Data only includes October 2014 - April 2015
- [3] This report does not include modifications executed against a previous year's contract, nor does it include orders against a CSA Schedule
- [4] Definition: The United States is considered to be all 50 States, as well as all U.S. Trust Territories

Federal Emergency Management Agency  
 Contracts with Manufacturing Outside of the United States  
 Fiscal Year 2014 and 2015<sup>[1]</sup>

FISCAL YEAR 2014 <sup>[1]</sup>						
CONTRACT NUMBER	CONTRACTOR NAME	PLACE OF MANUFACTURE DESCRIPTION	DESCRIPTION OF REQUIREMENT	DATE SIGNED	EST. ULTIMATE COMPLETION DATE	FULL PERFORMANCE VALUE
HSFE0813F5013	EPOCH CONCEPTS, LLC	MFG OUTSIDE U.S. - COMMERCIAL INFORMATION TECHNOLOGY	IGF-OT-IGF OFFSITE STORAGE SERVER AND SUPPORT DR-4146-CO	11/8/2013	12/8/2013	\$ 40,521 \$ 40,521
HSFE0814F6560	HIGH PLAINS COMPUTING, INC.	MFG OUTSIDE U.S. - COMMERCIAL INFORMATION TECHNOLOGY	IGF-OT-IGF 30 SCANSNAP TO SUPPORT JFO OPERATIONS FOR DR 4145 IGF-CT-IGF THE PURPOSE OF THIS BLANKET PURCHASE AGREEMENT IS TO PROVIDE SUPPLIES FOR THE JOINT FIELD OFFICE FIELD AND CIS PERSONNEL DISASTER 4145 COLORADO	11/8/2013	11/30/2013	\$ 12,665 \$ 12,665
HSFE0813A5009 HSFE0814F5045	SOURCE MANAGEMENT, INC.	MFG OUTSIDE U.S. - COMMERCIAL INFORMATION TECHNOLOGY	250 MOBILE HOME TIRES AND RIMS TO REPLENISH THE INVENTORY AT THE MOBILE HOME SITES IN SELMA, AL AND CUMBERLAND, MD.	11/6/2013	11/30/2013	\$ 5,038 \$ 5,038
HSFE0814F5971 HSFE0114F0071	CENTURY TIRE INC GOVPLACE	MFG OUTSIDE U.S. - UNREASONABLE COST MFG OUTSIDE U.S. - COMMERCIAL INFORMATION TECHNOLOGY	CONTRACT - SNAP SCANNERS.	12/24/2013	2/4/2014	\$ 34,000 \$ 34,000
HSHQDC13D0022				9/2/2014	10/31/2014	\$ 4,891 \$ 4,891
<b>TOTAL CONTRACTS WITH MANUFACTURING OUTSIDE OF THE UNITED STATES</b>						<b>\$ 97,115 \$ 97,115</b>

FISCAL YEAR 2015 <sup>[1]</sup>						
CONTRACT NUMBER	CONTRACTOR NAME	PLACE OF MANUFACTURE DESCRIPTION	DESCRIPTION OF REQUIREMENT	DATE SIGNED	EST. ULTIMATE COMPLETION DATE	FULL PERFORMANCE VALUE
<b>TOTAL CONTRACTS WITH MANUFACTURING OUTSIDE OF THE UNITED STATES</b>						<b>\$ 97,115 \$ 97,115</b>

NOTES:

- [1] Data Source: FPDS-NC Buy America Report on May 7, 2015
- [2] Fiscal Year 2015 Data only includes October 2014 - April 2015
- [3] This report does not include modifications executed against a previous year's contract, nor does it include orders against a GSA Schedule
- [4] Definition: The United States is considered to be all 50 States, as well as all U.S. Trust Territories

For Official Use Only

Bonuses**Question 7:**

Please provide a table showing how much is requested in the 2016 budget for bonuses for FEMA political employees, FEMA SES employees, and FEMA non-SES employees.

**ANSWER:** FEMA has not budgeted for FEMA career SES and FEMA non-SES bonuses in the FY16 President's Budget. Political appointees are not eligible for bonuses and no funding has been budgeted in FY16.

**Question 8:**

Please list all FEMA SES bonuses provided in 2014 by position, office, and bonus amount.

**ANSWER:**

Office	Position Title	Amount
FIMA	Deputy Associate Administrator for Insurance, Federal Insurance & Mitigation	\$7,900
FIMA	Deputy Associate Administrator for Mitigation, Federal Insurance & Mitigation	\$9,890
MS	Chief Component Human Capital Officer	\$8,087
MS	Chief, Enterprise Business Unit	\$8,140
MS	Chief Technology Officer	\$8,681
MS	Chief Administrative Officer (EOD: 7/1/13)	\$8,750
MS	Chief Information Officer (EOD: 9/22/2013)	\$8,985
MS	Chief Procurement Officer (On 5/4/14, reassigned from USM's office w/1% pay increase) (Transferred from IRS on 1/12/14)	\$9,075
MS	Associate Administrator, Mission Support Bureau	\$9,075
OAD	Deputy Regional Administrator, Region IV, Atlanta (EOD: 4/20/14)	\$7,210
OAD	Regional Administrator (Region III, Philadelphia)	\$7,937
OAD	Regional Administrator (Region VI - Denton, TX)	\$9,890
OCFO	Director, Financial Management Division (Mt. Weather)	\$6,750
OCFO	Deputy Chief Financial Officer (EOD: 6/17/13)	\$7,950
OCFO	Chief Financial Officer	\$10,890
OEA	Deputy Director, External Affairs	\$8,020
OGC/FEMA	Deputy Chief Counsel, FEMA (Reassigned on 10/5/14 w/11% pay increase)	\$8,153
OGC/FEMA	Deputy Principal Legal Advisor for Management, FEMA	\$8,369
OPPA	Deputy Director, Policy and Strategy	\$7,464
OR&R	Director, Emergency Communications Division	\$7,707
OR&R	Director, National Processing Service Ctr (Resigned 10/17/2014)	\$7,917
OR&R	Executive Director for Readiness	\$8,205
OR&R	Director, Public Assistance Division	\$8,215
OR&R	Director, National Disaster Recovery Planning Division (EOD: 3/17/14)	\$8,427

OR&R	Deputy Asst. Administrator, Logistics	\$8,512
OR&R	Director, Individual Assistance Division	\$8,563
OR&R	Deputy Assistant Administrator for Response	\$8,736
OR&R	Director, Office of Federal Disaster Coordination (Reassigned on 6/1/14 - no pay increase)	\$8,813
OR&R	Deputy Assistant Administrator for Recovery	\$8,976
OR&R	Assistant Administrator for Logistics (Reassigned on 6/1/14 - no pay increase)	\$10,890
OR&R	Assistant Administrator for Recovery (Reassigned on 6/1/14 w/6% pay increase)	\$12,518
OR&R	Asst. Administrator, Response (Reassigned to max salary on 11/30/2014)	\$12,705
PNP	Director, National Integration Center	\$7,056
PNP	Superintendent, Center for Domestic Preparedness (EOD: 12/15/13)	\$7,090
PNP	Deputy Asst. Administrator, Grants Programs (EOD: 5/19/13)	\$7,500
PNP	Director, Grants Operations Division (EOD: 5/18/14)	\$7,508
PNP	Director, National Exercise Division	\$7,531
PNP	Dep. Exec. Admin., Mt. Weathers Emergency Operations Ctr.	\$7,961
PNP	Director, Technology Hazards Division	\$8,224
PNP	Asst. Administrator for Nat'l Preparedness	\$9,048
PNP	Executive Administrator, Mt. Weather Emergency Operations Center	\$9,075
PNP	Deputy Asst. Administrator, National Preparedness Directorate	\$9,634
PNP	Superintendent, Emergency Mgmt. Institute (EMI)	\$10,718
PNP	Asst. Administrator, Grant Programs (As PA, he retains SES career rights for performance award consideration)	\$10,890
USFA	Deputy Assistant Administrator, U.S. Fire Administration	\$6,212
USFA	Superintendent, National Fire Academy	\$8,980
TOTAL		\$398,827

LEGEND	
FIMA	= Federal Insurance & Mitigation Administration
MS	= Mission Support
OAD	= Office of the Administrator
OCFO	= Office of the Chief Financial Officer
OEA	= Office of External Affairs
OGC	= Office of General Counsel
OPPA	= Office of Policy & Program Analysis
OR&R	= Office of Response & Recovery
PNP	= Office of Protection and National Preparedness
USFA	= U.S. Fire Administration

**Question 9:**

Please list by office and pay grade level the number of non-SES employees who received a bonus or quality step increase (qsi) in 2014, 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:** Please see attachment #9 and the tabs labeled as described.

## Quality Step Increases Calendar 2014

Organization	Grade						Grand Total
	07	09	12	13	14	15	
Administrator	0	0	0	0	1	0	1
AD - Exec Secretariat	0	0	1	0	0	0	1
AD - Faith Based Comm	0	0	1	0	0	0	1
General Counsel	0	0	0	1	0	3	4
Response & Recovery	0	0	0	2	0	1	3
RR - Recovery Dir	0	0	0	1	2	1	4
RR - Logistics Dir	0	0	1	0	2	0	3
RR - FCO	0	0	0	0	0	1	1
Mission Support	0	0	0	0	0	1	1
MSB - CHCO	0	0	0	0	1	0	1
MSB - CPO	1	0	0	0	0	1	2
MSB - CSO	0	0	0	0	0	1	1
MSB - EBU	0	0	0	0	0	1	1
PNP - Nat Prep	0	1	3	2	4	1	11
PNP - NCP	0	0	3	4	1	1	9
FIMA - Mitigation	0	0	1	2	1	0	4
FIMA - Insurance	0	0	0	2	1	0	3
Region Three	0	0	1	3	1	0	5
Region Seven	0	0	2	3	1	0	6
Region Ten	1	0	0	0	0	0	1
<b>Grand Total</b>	<b>2</b>	<b>1</b>	<b>13</b>	<b>20</b>	<b>15</b>	<b>12</b>	<b>63</b>

**Travel**

**Question 10:**

Please provide for the record a table that shows all funds expended by FEMA political employees for travel in 2014. Include name of individual traveling, purpose of travel, location(s) visited, and total cost.

**ANSWER:** See attachment #10

VENDOR ALPHA	OBLIGATION NUM	REFERENCE NUM	PERIOD BEGIN	PERIOD END	EXPENDITURES	PMT QTY	LAST TRANS	Reason	Location
ANDERSON, LARS D	TANUM106960	R-15-T-00006989	10/8/2014	10/11/2014	377.35	1	10/24/2014	Meeting, Conference	Anniston AL, Atlanta GA
		R-15-T-00006990	10/8/2014	10/11/2014	785.17	1	10/24/2014	Meeting, Conference	Anniston AL, Atlanta GA
	TANUM115058	R-15-T-00015683	11/2/2014	11/2/2014	614.31	1	11/18/2014	Conference	North York, Canada
		R-15-T-00015684	11/2/2014	11/2/2014	1,118.94	1	11/18/2014	Conference	North York, Canada
	TANUM122421	R-15-T-00027777	11/30/2014	11/30/2014	338.40	1	12/24/2014	Meeting	Boston, MA
		R-15-T-00027778	11/30/2014	11/30/2014	234.44	1	12/24/2014	Meeting	Boston, MA
	TANUM14555	R-14-T-00059178	1/7/2014	1/8/2014	1,101.24	1	3/31/2014	Conference	New Orleans
		R-14-T-00059179	1/7/2014	1/8/2014	14.75	1	3/31/2014	Conference	New Orleans
	TANUM20442	R-14-T-00052516	2/3/2014	2/4/2014	138.00	1	3/11/2014	Conference	Atlanta
		R-14-T-00052517	2/3/2014	2/4/2014	482.33	1	3/11/2014	Conference	Atlanta
	TANUM43006	R-14-T-00087982	4/15/2014	4/17/2014	160.00	1	6/18/2014	Conference	Orlando
		R-14-T-00087983	4/15/2014	4/17/2014	862.04	1	6/18/2014	Conference	Orlando
	TANUM58181	R-14-T-00088172	5/23/2014	5/23/2014	58.25	1	6/18/2014	Meeting	Tampa Bay
		R-14-T-00088173	5/23/2014	5/23/2014	653.05	1	6/18/2014	Meeting	Tampa Bay
	(blank)	R-14-T-00062130	3/31/2014	3/31/2014	17.66	1	4/9/2014	Meeting	Local
		R-14-T-00109700	7/9/2014	7/11/2014	55.52	1	7/31/2014	Meeting	Local
		R-14-T-00130832	7/7/2014	8/29/2014	262.16	1	9/22/2014	Meeting	Local
		R-14-T-00131340	7/7/2014	7/7/2014	255.36	1	9/22/2014	Meeting	Local
		R-14-T-00131341	7/7/2014	7/7/2014	0.00	1	9/25/2014	Meeting	Local
		R-14-T-00133275	9/4/2014	9/17/2014	277.65	1	9/29/2014	Meeting	Local
	R-15-T-00006632	9/18/2014	9/18/2014	252.19	1	10/22/2014	Meeting	Local	
	R-15-T-00006633	9/18/2014	9/18/2014	6.80	1	10/22/2014	Meeting	Local	
	R-15-T-00009121	10/7/2014	10/7/2014	80.21	1	10/31/2014	Meeting	Local	
	R-15-T-00009122	10/7/2014	10/7/2014	6.80	1	10/30/2014	Meeting	Local	
	R-15-T-00019616	10/20/2014	10/20/2014	426.08	1	12/1/2014	Meeting	Local	
	R-15-T-00019617	10/20/2014	10/20/2014	6.80	1	12/1/2014	Meeting	Local	
	R-15-T-00027735	11/21/2014	11/21/2014	38.86	1	12/24/2014	Meeting	Local	
	R-15-T-00027736	11/21/2014	11/21/2014	6.80	1	12/24/2014	Meeting	Local	

BATKIN, JOSHUA C	TANUM108413	R-15-T-00019669	10/7/2014	10/7/2014	1,146.41	1	12/1/2014	Meeting, Conference	Anniston AL, Atlanta GA
		R-15-T-00019670	10/7/2014	10/7/2014	45.24	1	12/1/2014	Meeting, Conference	Anniston AL, Atlanta GA
	TANUM117109	R-15-T-00019142	11/5/2014	11/5/2014	780.72	1	12/1/2014	Mission	New York, NY
		R-15-T-00019143	11/5/2014	11/5/2014	45.24	1	12/1/2014	Mission	New York, NY
	TANUM120105	R-15-T-00019491	11/17/2014	11/17/2014	231.90	1	12/1/2014	Conference	Houston, TX
		R-15-T-00019492	11/17/2014	11/17/2014	14.75	1	12/1/2014	Conference	Houston, TX
	TANUM121160	R-15-T-00019144	11/15/2014	11/15/2014	736.85	1	12/1/2014	Conference	San Antonio, TX
		R-15-T-00019145	11/15/2014	11/15/2014	45.24	1	12/1/2014	Conference	San Antonio, TX
	TANUM123780	R-15-T-00023890	12/2/2014	12/2/2014	84.00	1	12/12/2014	Training	EMI
		R-15-T-00023891	12/2/2014	12/2/2014	14.75	1	12/12/2014	Training	EMI
	TANUM15280	R-14-T-00072914	1/8/2014	1/8/2014	446.50	1	5/8/2014	Meeting	Atlanta
		R-14-T-00072915	1/8/2014	1/8/2014	22.05	1	5/8/2014	Meeting	Atlanta
	TANUM33428	R-14-T-00072916	3/18/2014	3/19/2014	393.03	1	5/8/2014	Meeting	Philadelphia
		R-14-T-00072917	3/18/2014	3/19/2014	22.05	1	5/8/2014	Meeting	Philadelphia
	TANUM42539	R-14-T-00079804	4/15/2014	4/17/2014	1,107.31	1	5/29/2014	Conference	Orlando
		R-14-T-00079805	4/15/2014	4/17/2014	22.05	1	5/29/2014	Conference	Orlando
	TANUM42970	R-14-T-00100276	4/21/2014	4/24/2014	587.63	1	7/10/2014	Training	EMI
		R-14-T-00100277	4/21/2014	4/24/2014	21.45	1	7/10/2014	Training	EMI
	TANUM50728	R-14-T-00080667	5/4/2014	5/6/2014	945.98	1	5/29/2014	Mission	Oxford, AL
		R-14-T-00080668	5/4/2014	5/6/2014	22.05	1	5/29/2014	Mission	Oxford, AL
TANUM65829	R-14-T-00105008	6/12/2014	6/14/2014	1,675.06	1	7/22/2014	Conference	Atlanta, GA, New Orleans	
	R-14-T-00105009	6/12/2014	6/14/2014	22.05	1	7/22/2014	Conference	Atlanta, GA, New Orleans	
TANUM83828	R-14-T-00117507	8/5/2014	8/6/2014	127.57	1	8/21/2014	Training	Anniston, AL	
	R-14-T-00117508	8/5/2014	8/6/2014	652.73	1	8/21/2014	Training	Anniston, AL	
TANUM99428	R-15-T-00007446	9/25/2014	9/25/2014	404.81	1	10/24/2014	Mission	Oakland, CA, Portland, OR	
	R-15-T-00007447	9/25/2014	9/25/2014	1,685.59	1	10/24/2014	Mission	Oakland, CA, Portland, OR	

	(blank)	R-14-T-00079792	11/12/2013	5/16/2014	236.89	1	5/29/2014	Meeting	Local
		R-14-T-00132995	6/10/2014	9/2/2014	115.16	1	9/29/2014	Meeting	Local
		R-15-T-00044284	10/15/2014	10/15/2014	46.50	1	3/11/2015	Meeting	Local
		R-15-T-00044285	10/15/2014	10/15/2014	6.80	1	3/11/2015	Meeting	Local
BECKHAM, STEWART D	TANUM41115	R-14-T-00069176	4/13/2014	4/16/2014	263.06	1	4/29/2014	Training	Houston, TX
		R-14-T-00069177	4/13/2014	4/16/2014	1,146.29	1	4/29/2014	Training	Houston, TX
	TANUM72810	R-14-T-00116366	7/15/2014	7/17/2014	154.56	1	8/19/2014	Meeting	Columbus, OH
		R-14-T-00116367	7/15/2014	7/17/2014	647.61	1	8/19/2014	Meeting	Columbus, OH
BROWN, AMANDA L	TANUM134131	R-15-T-00034222	11/4/2014	11/4/2014	343.00	1	1/30/2015	Training	Lincoln, NE
		R-15-T-00034223	11/4/2014	11/4/2014	1,137.41	1	1/30/2015	Training	Lincoln, NE
	TANUM7987	R-14-T-00109555	6/9/2014	6/14/2014	421.70	1	7/31/2014	Mission	Baton Rouge, LA
		R-14-T-00109556	6/9/2014	6/14/2014	1,526.41	1	7/31/2014	Mission	Baton Rouge, LA
CAMP, GWEN M	LVCH8782	R-15-T-00002488	6/20/2014	6/20/2014	15.80	1	10/9/2014	Meeting	Local
		R-15-T-00002521	8/18/2014	8/18/2014	17.97	1	10/9/2014	Meeting	Local
		R-15-T-00002522	8/20/2014	8/20/2014	16.80	1	10/9/2014	Meeting	Local
		R-15-T-00002525	9/2/2014	9/2/2014	22.81	1	10/9/2014	Meeting	Local
		R-15-T-00002526	9/8/2014	9/8/2014	24.52	1	10/9/2014	Meeting	Local
		R-15-T-00002528	9/14/2014	9/14/2014	14.89	1	10/9/2014	Meeting	Local
		R-15-T-00002601	9/15/2014	9/15/2014	16.80	1	10/9/2014	Meeting	Local
		R-15-T-00002610	9/19/2014	9/19/2014	26.80	1	10/9/2014	Meeting	Local
		R-15-T-00002640	9/24/2014	9/24/2014	20.81	1	10/9/2014	Meeting	Local
		R-15-T-00002647	9/27/2014	9/27/2014	32.72	1	10/9/2014	Meeting	Local
		R-15-T-00002648	9/29/2014	9/29/2014	17.80	1	10/9/2014	Meeting	Local
		R-15-T-00002649	9/30/2014	9/30/2014	14.80	1	10/9/2014	Meeting	Local
	TANUM104271	R-15-T-00010436	10/1/2014	10/1/2014	135.50	1	11/5/2014	Conference	Chicago, IL
		R-15-T-00010437	10/1/2014	10/1/2014	248.75	1	11/5/2014	Conference	Chicago, IL
	TANUM107626	R-15-T-00010237	10/17/2014	10/17/2014	25.00	1	11/5/2014	Meeting	Philadelphia, PA

	R-15-T-00010238	10/17/2014	10/17/2014	10/17/2014	14.75	1	11/5/2014	Meeting	Philadelphia, PA
TANUM110409	R-15-T-00023792	11/16/2014	11/16/2014	11/16/2014	279.00	1	12/11/2014	Conference	San Antonio, TX
	R-15-T-00023793	11/16/2014	11/16/2014	11/16/2014	1,118.92	1	12/11/2014	Conference	San Antonio, TX
TANUM110717	R-15-T-00019989	11/2/2014	11/2/2014	11/2/2014	770.07	1	12/1/2014	Conference	Victoria, CAN, Vancouver, CAN, Philadelphia, PA
	R-15-T-00019990	11/2/2014	11/2/2014	11/2/2014	1,642.67	1	12/1/2014	Conference	Victoria, CAN, Vancouver, CAN, Philadelphia, PA
TANUM124133	R-15-T-00024592	12/2/2014	12/2/2014	12/2/2014	84.00	1	12/15/2014	Conference	EMI
	R-15-T-00024593	12/2/2014	12/2/2014	12/2/2014	150.05	1	12/15/2014	Conference	EMI
TANUM15239	R-14-T-00074908	1/8/2014	1/8/2014	1/8/2014	192.25	1	5/15/2014	Meeting	Atlanta
	R-14-T-00074909	1/8/2014	1/8/2014	1/8/2014	328.05	1	5/15/2014	Meeting	Atlanta
TANUM29800	R-14-T-00077129	3/21/2014	3/30/2014	3/30/2014	1,617.70	1	5/19/2014	DRASEN	Australia
	R-14-T-00077130	3/21/2014	3/30/2014	3/30/2014	3,498.55	1	5/19/2014	DRASEN	Australia
TANUM34838	R-14-T-00075902	3/18/2014	3/19/2014	3/19/2014	174.55	1	5/15/2014	Meeting	Philadelphia
	R-14-T-00075903	3/18/2014	3/19/2014	3/19/2014	564.27	1	5/15/2014	Meeting	Philadelphia
TANUM61292	R-14-T-00105332	6/23/2014	6/25/2014	6/25/2014	402.50	1	7/22/2014	Conference	Broomfield, CO
	R-14-T-00105333	6/23/2014	6/25/2014	6/25/2014	1,018.85	1	7/22/2014	Conference	Broomfield, CO
TANUM78535	R-14-T-00121084	7/20/2014	8/8/2014	8/8/2014	744.50	1	8/29/2014	Training	Boston, MA
	R-14-T-00121085	7/20/2014	8/8/2014	8/8/2014	329.32	1	8/29/2014	Training	Boston, MA
TANUM85906	R-15-T-00010239	10/9/2014	10/9/2014	10/9/2014	290.00	1	11/5/2014	Conference	Atlanta, GA
	R-15-T-00010240	10/9/2014	10/9/2014	10/9/2014	604.95	1	11/5/2014	Conference	Atlanta, GA
TANUM91363	R-14-T-00134990	9/10/2014	9/10/2014	9/10/2014	235.82	1	9/30/2014	Meeting	Arlington, TX
	R-14-T-00134991	9/10/2014	9/10/2014	9/10/2014	712.45	1	9/30/2014	Meeting	Arlington, TX

	TANUM91365	R-15-T-00018974	9/30/2014	9/30/2014	9/30/2014	121.25	1	12/1/2014	Meeting	Local
	TANUM91858	R-15-T-00007766	9/16/2014	9/18/2014	9/18/2014	1,108.43	1	10/28/2014	Meeting	Los Angeles, CA
	TANUM95381	R-14-T-00136281	9/5/2014	9/5/2014	9/5/2014	184.74	1	10/3/2014	Meeting	New York, NY
	(blank)	R-14-T-00068915	2/26/2014	3/5/2014	3/5/2014	21.82	1	4/29/2014	Meeting	Local
		R-14-T-00068917	3/10/2014	3/18/2014	3/18/2014	94.71	1	4/29/2014	Meeting	Local
		R-14-T-00068921	4/21/2014	4/21/2014	4/21/2014	32.03	1	4/29/2014	Meeting	Local
		R-14-T-00089506	4/10/2014	4/16/2014	4/16/2014	28.80	1	6/18/2014	Meeting	Local
		R-14-T-00089508	4/14/2014	5/7/2014	5/7/2014	71.80	1	6/18/2014	Meeting	Local
		R-14-T-00089510	5/8/2014	5/8/2014	5/8/2014	27.80	1	6/18/2014	Meeting	Local
		R-14-T-00089511	5/12/2014	5/12/2014	5/12/2014	41.80	1	6/18/2014	Meeting	Local
		R-14-T-00090127	4/29/2014	4/30/2014	4/30/2014	26.62	1	6/18/2014	Meeting	Local
		R-14-T-00105620	5/1/2014	5/1/2014	5/1/2014	49.80	1	7/22/2014	Meeting	Local
		R-14-T-00105622	5/19/2014	5/19/2014	5/19/2014	18.80	1	7/23/2014	Meeting	Local
		R-14-T-00105624	5/22/2014	5/22/2014	5/22/2014	17.80	1	7/22/2014	Meeting	Local
		R-14-T-00105625	5/29/2014	5/29/2014	5/29/2014	25.80	1	7/22/2014	Meeting	Local
		R-14-T-00105626	6/5/2014	6/5/2014	6/5/2014	18.80	1	7/22/2014	Meeting	Local
		R-14-T-00105627	6/6/2014	6/6/2014	6/6/2014	24.80	1	7/22/2014	Meeting	Local
		R-14-T-00121017	8/16/2014	8/16/2014	8/16/2014	27.80	1	8/29/2014	Meeting	Local
		R-14-T-00121698	4/20/2014	4/20/2014	4/20/2014	26.80	1	8/29/2014	Meeting	Local
		R-14-T-00122234	4/29/2014	4/29/2014	4/29/2014	68.40	1	9/5/2014	Meeting	Local
		R-15-T-00010555	10/15/2014	10/15/2014	10/15/2014	43.00	1	11/5/2014	Meeting	Local
		R-15-T-00010556	10/15/2014	10/15/2014	10/15/2014	6.80	1	11/5/2014	Meeting	Local
COEN, MICHAEL	TANUM106962	R-15-T-00007685	10/8/2014	10/8/2014	10/8/2014	74.05	1	10/28/2014	Meeting	Anniston, AL
		R-15-T-00007686	10/8/2014	10/8/2014	10/8/2014	439.28	1	10/28/2014	Meeting	Anniston, AL
	TANUM119035	R-15-T-00014363	11/4/2014	11/4/2014	11/4/2014	205.55	1	11/14/2014	Meeting	New York, NY
		R-15-T-00014364	11/4/2014	11/4/2014	11/4/2014	177.44	1	11/14/2014	Meeting	New York, NY
	TANUM120058	R-15-T-00017450	11/15/2014	11/15/2014	11/15/2014	302.25	1	11/24/2014	Conference	Westminster, CO
		R-15-T-00017451	11/15/2014	11/15/2014	11/15/2014	1,060.81	1	11/24/2014	Conference	Westminster, CO
	TANUM124901	R-15-T-00022684	12/2/2014	12/2/2014	12/2/2014	84.00	1	12/9/2014	Meeting	EMI
		R-15-T-00022685	12/2/2014	12/2/2014	12/2/2014	14.75	1	12/9/2014	Meeting	EMI

TANUM33826	R-14-T-00057639	3/18/2014	3/19/2014	99.00	1	3/27/2014	Meeting	Philadelphia
	R-14-T-00057640	3/18/2014	3/19/2014	169.75	1	3/27/2014	Meeting	Philadelphia
TANUM42889	R-14-T-00069890	4/15/2014	4/17/2014	160.00	1	4/30/2014	Conference	Orlando
	R-14-T-00069891	4/15/2014	4/17/2014	709.04	1	4/30/2014	Conference	Orlando
TANUM52870	R-14-T-00080436	5/19/2014	5/19/2014	44.02	1	5/29/2014	Meeting	Atlanta, GA
	R-14-T-00080437	5/19/2014	5/19/2014	461.87	1	5/29/2014	Meeting	Atlanta, GA
TANUM75032	R-14-T-00107698	7/9/2014	7/10/2014	119.00	1	7/24/2014	Meeting	Nashville, TN
	R-14-T-00107699	7/9/2014	7/10/2014	725.04	1	7/24/2014	Meeting	Nashville, TN
TANUM91919	R-14-T-00132316	9/16/2014	9/16/2014	286.47	1	9/24/2014	Meeting	Los Angeles, CA
	R-14-T-00132317	9/16/2014	9/16/2014	809.73	1	9/30/2014	Meeting	Los Angeles, CA
(blank)	R-14-T-00073197	11/15/2013	4/11/2014	182.53	1	5/8/2014	Meeting	Local
TANUM107631	R-15-T-00011402	10/5/2014	10/5/2014	224.42	1	11/7/2014	Meeting	Miami, FL
	R-15-T-00011403	10/5/2014	10/5/2014	1,374.69	1	11/7/2014	Meeting	Miami, FL
TANUM109027	R-15-T-00016598	10/9/2014	10/12/2014	1,518.86	1	11/21/2014	Conference	Atlanta, GA
TANUM120164	R-15-T-00017635	11/15/2014	11/15/2014	263.60	1	11/24/2014	Conference	San Antonio, TX
	R-15-T-00017636	11/15/2014	11/15/2014	688.77	1	11/24/2014	Conference	San Antonio, TX
TANUM38496	R-14-T-00077802	4/3/2014	4/5/2014	115.00	1	5/21/2014	Meeting	Anchorage, AK
	R-14-T-00077803	4/3/2014	4/5/2014	1,070.14	1	5/21/2014	Meeting	Anchorage, AK
TANUM92634	R-15-T-00004949	11/7/2013	8/20/2014	678.57	1	10/16/2014	Meeting	Local
(blank)	R-14-T-00136995	9/8/2014	9/11/2014	21.01	1	10/3/2014	Meeting	Local
	R-15-T-00002907	6/24/2013	8/19/2014	302.60	1	10/9/2014	Meeting	Local
FREEMAN, BETH A	EMK-2014-TG-19	1/16/2014	1/17/2014	162.17	1	2/27/2014	Special Mission	Joplin, MO
	R-14-T-00048613	1/16/2014	1/17/2014	162.17	1	2/27/2014	Mission	Joplin, MO
TANUM106177	R-15-T-00008428	10/6/2014	10/6/2014	179.71	1	10/29/2014	Meeting	Anniston AL, Atlanta GA
	R-15-T-00008429	10/6/2014	10/6/2014	1,568.14	1	10/29/2014	Meeting	Anniston AL, Atlanta GA
TANUM112970	R-15-T-00010112	10/22/2014	10/22/2014	69.00	1	11/5/2014	Meeting	Coralville, IA
	R-15-T-00010113	10/22/2014	10/22/2014	107.71	1	11/5/2014	Meeting	Coralville, IA

TANUM114235	R-15-T-00010114	10/7/2014	10/7/2014	10/7/2014	264.50	1	11/5/2014	Meeting	Anniston AL, Atlanta GA
	R-15-T-00010115	10/7/2014	10/7/2014	10/7/2014	14.75	1	11/5/2014	Meeting	Anniston AL, Atlanta GA
TANUM116800	R-15-T-00025531	12/9/2014	12/9/2014	12/9/2014	190.52	1	12/17/2014	Meeting	Lincoln, NE
	R-15-T-00025532	12/9/2014	12/9/2014	12/9/2014	111.43	1	12/17/2014	Meeting	Lincoln, NE
TANUM117857	R-15-T-00019196	11/17/2014	11/17/2014	11/17/2014	290.04	1	12/1/2014	Conference	San Antonio, TX
	R-15-T-00019197	11/17/2014	11/17/2014	11/17/2014	640.26	1	12/1/2014	Conference	San Antonio, TX
TANUM122255	R-15-T-00027160	12/1/2014	12/1/2014	12/1/2014	224.28	1	12/24/2014	Meeting	EMI
	R-15-T-00027161	12/1/2014	12/1/2014	12/1/2014	594.73	1	12/24/2014	Meeting	EMI
TANUM14175	R-14-T-00036939	1/13/2014	1/14/2014	1/14/2014	151.02	1	1/22/2014	Meeting	Washington, DC
	R-14-T-00036940	1/13/2014	1/14/2014	1/14/2014	585.16	1	1/22/2014	Meeting	Washington, DC
TANUM15390	R-14-T-00046872	1/21/2014	1/22/2014	1/22/2014	209.66	1	2/25/2014	Meeting	Omaha, NE
	R-14-T-00046873	1/21/2014	1/22/2014	1/22/2014	21.45	1	2/25/2014	Meeting	Omaha, NE
TANUM17720	R-14-T-00043032	1/23/2014	1/23/2014	1/23/2014	118.29	1	2/14/2014	Mission	Washington, DC
	R-14-T-00043033	1/23/2014	1/23/2014	1/23/2014	384.54	1	2/14/2014	Special	Washington, DC
TANUM20022	R-14-T-00047356	2/3/2014	2/5/2014	2/5/2014	271.54	1	2/25/2014	Meeting	Washington, DC
	R-14-T-00047357	2/3/2014	2/5/2014	2/5/2014	929.20	1	2/25/2014	Meeting	Washington, DC
TANUM23677	R-14-T-00064743	3/10/2014	3/14/2014	3/14/2014	433.54	1	4/17/2014	Meeting	Alexandria, VA
	R-14-T-00064744	3/10/2014	3/14/2014	3/14/2014	1,395.79	1	4/17/2014	Meeting	Alexandria, VA
TANUM29653	R-14-T-00061346	3/23/2014	3/28/2014	3/28/2014	434.90	1	4/7/2014	Special	EMI
	R-14-T-00061347	3/23/2014	3/28/2014	3/28/2014	573.79	1	4/7/2014	Special	EMI

TANUM39919	R-14-T-00076747	5/7/2014	5/8/2014	69.00	1	5/19/2014	Meeting	Okoboji, IA
	R-14-T-00076748	5/7/2014	5/8/2014	91.65	1	5/19/2014	Meeting	Okoboji, IA
TANUM57966	R-14-T-00087713	6/3/2014	6/4/2014	76.50	1	6/13/2014	Special Mission	Cedar Rapids, IA
	R-14-T-00087714	6/3/2014	6/4/2014	111.07	1	6/13/2014	Special Mission	Cedar Rapids, IA
TANUM71637	R-14-T-00105996	7/10/2014	7/11/2014	179.54	1	7/24/2014	Meeting	Washington, DC
	R-14-T-00105997	7/10/2014	7/11/2014	770.76	1	7/24/2014	Meeting	Washington, DC
TANUM72606	R-14-T-00126449	8/26/2014	8/26/2014	234.65	1	9/16/2014	Mission	Anniston, AL
	R-14-T-00126450	8/26/2014	8/26/2014	966.11	1	9/15/2014	Mission	Anniston, AL
	R-15-T-00005639	8/26/2014	8/29/2014	63.63	1	10/20/2014	Mission	Anniston, AL
TANUM76170	R-14-T-00110621	7/23/2014	7/24/2014	179.54	1	8/5/2014	Meeting	Washington, DC
	R-14-T-00110622	7/23/2014	7/24/2014	770.76	1	8/5/2014	Meeting	Washington, DC
TANUM86236	R-14-T-00134387	9/8/2014	9/8/2014	237.27	1	9/29/2014	Meeting	Omaha, NE, Mt. Weather
	R-14-T-00134388	9/8/2014	9/8/2014	1,106.20	1	9/30/2014	Meeting	Omaha, NE, Mt. Weather
TANUM90401	R-14-T-00132781	9/15/2014	9/15/2014	299.32	1	9/25/2014	Meeting	Washington, DC
(blank)	R-14-T-00132782	9/15/2014	9/15/2014	1,091.77	1	9/30/2014	Meeting	Washington, DC
	R-14-T-00061190	4/1/2014	4/1/2014	21.55	1	4/4/2014	Meeting	Local
	R-15-T-00023741	10/17/2014	10/17/2014	200.00	1	12/11/2014	Meeting	Local
TANUM119236	R-15-T-00017853	11/13/2014	11/13/2014	277.25	1	11/24/2014	Meeting	Boulder, CO, Wesminster, CO
	R-15-T-00017854	11/13/2014	11/13/2014	1,249.08	1	11/24/2014	Meeting	Boulder, CO, Wesminster, CO
TANUM121530	R-15-T-00024087	11/21/2014	11/21/2014	42.00	1	12/12/2014	Meeting	Orlando, FL
FUGATE, WILLIAM CRAIG								

TANUM121949	R-15-T-00024088	11/21/2014	11/21/2014	12/12/2014	268.34	1	12/12/2014	Meeting	Orlando, FL
	R-15-T-00024159	12/4/2014	12/4/2014	12/12/2014	99.00	1	12/12/2014	Mission	Colorado Springs, CO
	R-15-T-00024160	12/4/2014	12/4/2014	12/12/2014	762.81	1	12/12/2014	Mission	Colorado Springs, CO
TANUM121967	R-15-T-00024977	12/7/2014	12/7/2014	12/17/2014	76.50	1	12/17/2014	Conference	Durham, NC
TANUM20668	R-15-T-00024978	12/7/2014	12/7/2014	12/17/2014	543.86	1	12/17/2014	Conference	Durham, NC
	R-14-T-00044387	2/3/2014	2/4/2014	2/19/2014	238.28	1	2/19/2014	Conference	Atlanta
	R-14-T-00044388	2/3/2014	2/4/2014	2/19/2014	530.05	1	2/19/2014	Conference	Atlanta
TANUM34220	R-14-T-00057795	3/18/2014	3/19/2014	3/27/2014	99.00	1	3/27/2014	Meeting	Philadelphia
	R-14-T-00057795	3/18/2014	3/19/2014	3/27/2014	193.78	1	3/27/2014	Meeting	Philadelphia
TANUM35670	R-14-T-00077931	3/27/2014	3/31/2014	5/21/2014	323.12	1	5/21/2014	Meeting	Orlando, FL
	R-14-T-00077932	3/27/2014	3/31/2014	5/21/2014	262.58	1	5/21/2014	Meeting	Orlando, FL
	R-14-T-00111502	3/27/2014	3/30/2014	8/7/2014	298.85	1	8/7/2014	Meeting	Local
TANUM36499	R-14-T-00076813	4/3/2014	4/4/2014	5/19/2014	162.75	1	5/19/2014	Mission	Anchorage, AK
	R-14-T-00076814	4/3/2014	4/4/2014	5/19/2014	1,052.91	1	5/19/2014	Mission	Anchorage, AK
TANUM40524	R-14-T-00080595	4/4/2014	4/6/2014	5/29/2014	195.25	1	5/29/2014	Mission	Seattle
	R-14-T-00080596	4/4/2014	4/6/2014	5/29/2014	290.28	1	5/29/2014	Mission	Seattle
TANUM42982	R-14-T-00076892	4/15/2014	4/16/2014	5/19/2014	98.00	1	5/19/2014	Conference	Orlando
	R-14-T-00076893	4/15/2014	4/16/2014	5/19/2014	357.99	1	5/19/2014	Conference	Orlando
TANUM46011	R-14-T-00076815	4/29/2014	5/3/2014	5/19/2014	529.75	1	5/19/2014	Meeting	Honolulu, HI
	R-14-T-00076816	4/29/2014	5/3/2014	5/19/2014	1,671.77	1	5/19/2014	Meeting	Honolulu, HI
TANUM48911	R-14-T-00081987	5/7/2014	5/9/2014	5/30/2014	320.00	1	5/30/2014	Meeting	San Juan, PR
	R-14-T-00081988	5/7/2014	5/9/2014	5/30/2014	1,110.07	1	5/30/2014	Meeting	San Juan, PR
TANUM49535	R-14-T-00097937	5/19/2014	5/20/2014	7/7/2014	80.50	1	7/7/2014	Mission	Jackson, MS
	R-14-T-00097938	5/19/2014	5/20/2014	7/7/2014	593.01	1	7/7/2014	Mission	Jackson, MS
TANUM50777	R-14-T-00098228	5/18/2014	5/19/2014	7/7/2014	80.50	1	7/7/2014	Mission	Montgomery, AL
	R-14-T-00098229	5/18/2014	5/19/2014	7/7/2014	142.11	1	7/7/2014	Mission	Montgomery, AL
TANUM58294	R-14-T-00111451	5/23/2014	5/27/2014	8/7/2014	76.50	1	8/7/2014	Meeting	Tampa Bay
	R-14-T-00111452	5/23/2014	5/27/2014	8/7/2014	645.05	1	8/7/2014	Meeting	Tampa Bay
TANUM65984	R-14-T-00095737	6/13/2014	6/13/2014	7/1/2014	34.50	1	7/1/2014	Meeting	Denton, TX
	R-14-T-00095738	6/13/2014	6/13/2014	7/1/2014	751.24	1	7/1/2014	Meeting	Denton, TX



	R-15-T-00024192	12/4/2014	12/4/2014	12/4/2014	615.81	1	12/12/2014	Meeting	Colorado Springs, CO
TANUM121968	R-15-T-00024939	12/7/2014	12/7/2014	12/7/2014	101.50	1	12/17/2014	Conference	Durham, NC
	R-15-T-00024940	12/7/2014	12/7/2014	12/7/2014	543.86	1	12/17/2014	Conference	Durham, NC
TANUM19809	R-14-T-00058123	2/3/2014	2/4/2014	2/4/2014	282.28	1	3/27/2014	Conference	Atlanta
	R-14-T-00058124	2/3/2014	2/3/2014	2/4/2014	328.05	1	3/27/2014	Conference	Atlanta
TANUM34165	R-14-T-00058125	3/18/2014	3/19/2014	3/19/2014	99.00	1	3/27/2014	Meeting	Philadelphia
	R-14-T-00058126	3/18/2014	3/19/2014	3/19/2014	193.78	1	3/27/2014	Meeting	Philadelphia
TANUM35666	R-14-T-00062061	3/27/2014	3/28/2014	3/28/2014	97.06	1	4/7/2014	Meeting	Orlando, FL
	R-14-T-00062062	3/27/2014	3/28/2014	3/28/2014	600.43	1	4/7/2014	Meeting	Orlando, FL
TANUM36496	R-14-T-00077206	4/3/2014	4/4/2014	4/4/2014	139.50	1	5/19/2014	Meeting	Anchorage, AK
	R-14-T-00077207	4/3/2014	4/3/2014	4/4/2014	1,068.72	1	5/19/2014	Meeting	Anchorage, AK
TANUM42875	R-14-T-00077471	4/15/2014	4/17/2014	4/17/2014	210.36	1	5/21/2014	Conference	Orlando
	R-14-T-00077472	4/15/2014	4/17/2014	4/17/2014	982.91	1	5/21/2014	Conference	Orlando
TANUM46018	R-14-T-00082464	4/29/2014	4/29/2014	5/3/2014	664.75	1	6/3/2014	Meeting	Honolulu, HI
	R-14-T-00082465	4/29/2014	4/29/2014	5/3/2014	1,479.78	1	6/3/2014	Meeting	Honolulu, HI
TANUM48912	R-14-T-00080669	5/7/2014	5/7/2014	5/12/2014	320.00	1	5/29/2014	Meeting	San Juan, PR
	R-14-T-00080670	5/7/2014	5/7/2014	5/12/2014	1,100.98	1	5/29/2014	Meeting	San Juan, PR
TANUM49935	R-14-T-00096687	5/19/2014	5/19/2014	5/20/2014	80.50	1	7/7/2014	Mission	Jackson, MS
	R-14-T-00096688	5/19/2014	5/19/2014	5/20/2014	555.22	1	7/7/2014	Mission	Jackson, MS
TANUM50777	R-14-T-00096685	5/18/2014	5/18/2014	5/18/2014	34.50	1	7/7/2014	Mission	Montgomery, AL
	R-14-T-00096686	5/18/2014	5/18/2014	5/18/2014	633.11	1	7/7/2014	Mission	Montgomery, AL
TANUM54917	R-14-T-00109239	4/4/2014	4/4/2014	4/6/2014	290.50	1	7/29/2014	Mission	Seattle
	R-14-T-00109240	4/4/2014	4/4/2014	4/6/2014	570.77	1	7/29/2014	Mission	Seattle
TANUM65985	R-14-T-00096171	6/13/2014	6/13/2014	6/13/2014	56.50	1	7/1/2014	Meeting	Denton, TX
	R-14-T-00096172	6/13/2014	6/13/2014	6/13/2014	751.24	1	7/1/2014	Meeting	Denton, TX
TANUM69650	R-14-T-00109090	6/25/2014	6/28/2014	6/28/2014	182.00	1	7/29/2014	Meeting	Denver, CO, Colorado Springs, CO
	R-14-T-00109091	6/25/2014	6/28/2014	6/28/2014	870.43	1	7/29/2014	Meeting	Denver, CO, Colorado Springs, CO

TANUM71822	R-14-T-00109050	6/30/2014	7/1/2014	84.94	1	7/29/2014	Meeting	Pensacola, FL
	R-14-T-00109051	6/30/2014	7/1/2014	638.28	1	7/29/2014	Meeting	Pensacola, FL
TANUM72910	R-14-T-00105091	7/6/2014	7/7/2014	143.00	1	7/22/2014	Meeting	Miami, FL
	R-14-T-00105092	7/6/2014	7/7/2014	1,115.22	1	7/22/2014	Meeting	Miami, FL
TANUM74673	R-14-T-00110015	7/9/2014	7/13/2014	167.00	1	7/31/2014	Meeting	Nashville, TN
	R-14-T-00110016	7/9/2014	7/13/2014	1,860.83	1	7/31/2014	Meeting	Nashville, TN
TANUM75461	R-14-T-00111597	7/15/2014	7/16/2014	173.10	1	8/7/2014	Meeting	Hollywood, FL
	R-14-T-00111598	7/15/2014	7/16/2014	905.93	1	8/7/2014	Meeting	Hollywood, FL
TANUM77171	R-14-T-00111742	7/18/2014	7/19/2014	121.00	1	8/7/2014	Meeting	Hartford, CT
	R-14-T-00111743	7/18/2014	7/19/2014	842.34	1	8/7/2014	Meeting	Hartford, CT
TANUM92493	R-14-T-00129161	9/5/2014	9/5/2014	75.25	1	9/19/2014	Meeting	New York, NY
	R-14-T-00129162	9/5/2014	9/5/2014	184.74	1	9/19/2014	Meeting	New York, NY
TANUM92897	R-15-T-00008060	9/16/2014	9/16/2014	243.50	1	10/28/2014	Meeting	Los Angeles, CA
	R-15-T-00008061	9/16/2014	9/16/2014	721.05	1	10/28/2014	Meeting	Los Angeles, CA
TANUM94737	R-15-T-00012591	10/7/2014	10/7/2014	264.50	1	11/12/2014	Conference	Anniston AL, Atlanta GA
	R-15-T-00012592	10/7/2014	10/7/2014	837.49	1	11/14/2014	Conference	Anniston AL, Atlanta GA
(blank)	R-15-T-00007201	10/15/2014	10/15/2014	12.00	1	10/24/2014	Meeting	Local
	R-15-T-00007202	10/15/2014	10/15/2014	6.80	1	10/24/2014	Meeting	Local
(blank)	R-14-T-00057977	11/1/2013	3/12/2014	340.80	1	3/27/2014	Meeting	Local
	R-14-T-00135158	3/28/2014	7/3/2014	593.80	1	9/30/2014	Meeting	Local
TANUM112315	R-15-T-00016671	10/7/2014	10/7/2014	290.50	1	11/21/2014	Meeting	Anniston AL, Atlanta GA
	R-15-T-00016672	10/7/2014	10/7/2014	811.49	1	11/21/2014	Meeting	Anniston AL, Atlanta GA
TANUM114264	R-15-T-00017161	10/27/2014	10/27/2014	29.61	1	11/21/2014	Meeting	Washington, DC
	R-15-T-00017162	10/27/2014	10/27/2014	347.24	1	11/21/2014	Meeting	Washington, DC
TANUM124474	R-15-T-00025745	12/8/2014	12/8/2014	526.00	1	12/17/2014	Mission	San Juan, PR

	R-15-T-00025746	12/8/2014	12/8/2014	12/8/2014	1,683.85	1	12/17/2014	Mission	San Juan, PR
TANUM21142	R-14-T-00073325	2/24/2014	2/24/2014	2/24/2014	125.05	1	5/8/2014	Meeting	Albany, NY
TANUM23494	R-14-T-00074221	3/9/2014	3/9/2014	3/13/2014	369.50	1	5/12/2014	Conference	Alexandria, VA
	R-14-T-00074222	3/9/2014	3/9/2014	3/13/2014	1,393.16	1	5/12/2014	Conference	Alexandria, VA
TANUM34960	R-14-T-00074215	3/21/2014	3/21/2014	3/21/2014	50.00	1	5/12/2014	Conference	Washington, DC
	R-14-T-00074216	3/21/2014	3/21/2014	3/21/2014	392.24	1	5/12/2014	Conference	Washington, DC
TANUM46892	R-14-T-00081870	4/24/2014	4/24/2014	4/24/2014	22.07	1	6/3/2014	Meeting	Washington, DC
	R-14-T-00081871	4/24/2014	4/24/2014	4/24/2014	390.24	1	6/3/2014	Meeting	Washington, DC
TANUM48052	R-14-T-00081873	5/1/2014	5/1/2014	5/1/2014	341.75	1	6/3/2014	Meeting	Washington, DC
TANUM49969	R-14-T-00081874	5/7/2014	5/7/2014	5/9/2014	368.00	1	6/3/2014	Meeting	San Juan, PR
	R-14-T-00081875	5/7/2014	5/7/2014	5/9/2014	1,206.15	1	6/3/2014	Meeting	San Juan, PR
TANUM68600	R-14-T-00112391	7/21/2014	7/21/2014	7/24/2014	422.00	1	8/8/2014	Meeting	St. Croix, VI
	R-14-T-00112392	7/21/2014	7/21/2014	7/24/2014	1,072.84	1	8/8/2014	Meeting	St. Croix, VI
TANUM76358	R-14-T-00119466	7/17/2014	7/17/2014	7/17/2014	53.25	1	8/27/2014	Meeting	Washington, DC
	R-14-T-00119467	7/17/2014	7/17/2014	7/17/2014	361.75	1	8/27/2014	Meeting	Washington, DC
TANUM86284	R-14-T-00122055	8/11/2014	8/11/2014	8/14/2014	323.50	1	9/5/2014	Meeting	Kansas City, MO
	R-14-T-00122056	8/11/2014	8/11/2014	8/14/2014	840.78	1	9/5/2014	Meeting	Kansas City, MO
TANUM90768	R-15-T-00005515	8/26/2014	8/26/2014	8/26/2014	213.00	1	10/17/2014	Meeting	Cheektowaga, NY
	R-15-T-00005516	8/26/2014	8/26/2014	8/26/2014	613.32	1	10/17/2014	Meeting	Cheektowaga, NY
TANUM97578	R-15-T-00009549	10/7/2014	10/7/2014	10/7/2014	533.93	1	11/5/2014	Meeting	Atlanta, GA
(blank)	R-15-T-00008269	10/15/2014	10/15/2014	10/15/2014	66.08	1	10/28/2014	Meeting	Local

KAMOIE, BRIAN E	R-15-T-00008270	10/15/2014	10/15/2014	6.80	1	10/28/2014	Meeting	Local	
	TANUM102650	R-15-T-00015266	10/9/2014	10/9/2014	171.82	1	11/18/2014	Conference	Atlanta, GA
		R-15-T-00015267	10/9/2014	10/9/2014	698.65	1	11/18/2014	Conference	Atlanta, GA
		R-15-T-00042403	10/9/2014	10/12/2014	282.13	1	3/4/2015	Meeting	Local
	TANUM106110	R-15-T-00022636	11/15/2014	11/15/2014	473.32	1	12/8/2014	Conference	San Antonio, TX
		R-15-T-00022637	11/15/2014	11/15/2014	1,346.61	1	12/8/2014	Conference	San Antonio, TX
		R-15-T-00042402	11/15/2014	11/19/2014	54.80	1	3/4/2015	Meeting	Local
	TANUM117873	R-15-T-00033093	10/9/2014	10/9/2014	196.00	1	1/26/2015	Meeting	Local
		R-15-T-00033094	10/9/2014	10/9/2014	14.75	1	1/26/2015	Meeting	Local
	TANUM122158	R-15-T-00022715	12/2/2014	12/2/2014	171.36	1	12/9/2014	Meeting	EMI
		R-15-T-00022716	12/2/2014	12/2/2014	14.75	1	12/9/2014	Meeting	EMI
	TANUM17706	R-14-T-00042129	1/25/2014	2/1/2014	660.63	1	2/14/2014	Meeting	Baltimore,MD, San Francisco, CA, Los Angeles, San Diego
	TANUM20767	R-14-T-00056781	2/11/2014	2/12/2014	185.46	1	3/25/2014	Conference	Baltimore,MD, San Francisco, CA, Los Angeles, San Diego
	TANUM21573	R-14-T-00056782	2/11/2014	2/12/2014	649.97	1	3/25/2014	Conference	Ft. Lauderdale, FL
	R-14-T-00059813	3/18/2014	3/19/2014	148.80	1	4/2/2014	Meeting	Philadelphia	
	R-14-T-00059814	3/18/2014	3/19/2014	420.06	1	4/2/2014	Meeting	Philadelphia	
TANUM25234	R-14-T-00067520	3/31/2014	4/3/2014	243.57	1	4/22/2014	Conference	Denver, CO, Bend,OR	

	R-14-T-00067521	3/31/2014	4/3/2014	1,969.54	1	4/22/2014	Conference	Denver, CO, Bend, OR
TANUM34845	R-14-T-00062122	3/21/2014	3/23/2014	280.42	1	4/7/2014	Meeting	New Orleans
	R-14-T-00062123	3/21/2014	3/23/2014	1,421.49	1	4/7/2014	Meeting	New Orleans
TANUM36327	R-14-T-00083357	5/19/2014	5/22/2014	313.11	1	6/4/2014	Conference	Philadelphia, PA
	R-14-T-00083358	5/19/2014	5/22/2014	684.14	1	6/4/2014	Conference	Philadelphia, PA
TANUM41749	R-14-T-00071092	4/14/2014	4/18/2014	288.10	1	5/5/2014	Meeting	Houston, McAllen, Laredo, Corpus Christi, TX
	R-14-T-00071093	4/14/2014	4/18/2014	965.19	1	5/5/2014	Meeting	Houston, McAllen, Laredo, Corpus Christi, TX
TANUM41797	R-14-T-00071095	4/14/2014	4/17/2014	776.25	1	5/5/2014	Meeting	Houston, McAllen, Laredo, Corpus Christi, TX
TANUM78315	R-14-T-00108948	7/23/2014	7/23/2014	159.07	1	7/29/2014	Conference	Chicago, IL
	R-14-T-00108949	7/23/2014	7/23/2014	343.75	1	7/29/2014	Conference	Chicago, IL
TANUM81725	R-15-T-00015268	9/29/2014	9/29/2014	181.69	1	11/18/2014	Conference	Chicago, IL
	R-15-T-00015269	9/29/2014	9/29/2014	851.42	1	11/18/2014	Conference	Chicago, IL
	R-15-T-00042400	9/29/2014	10/1/2014	45.24	1	3/4/2015	Conference	Chicago, IL
TANUM84895	R-15-T-00015270	10/1/2014	10/1/2014	237.33	1	11/18/2014	Conference	Chicago, IL
	R-15-T-00015271	10/1/2014	10/1/2014	283.01	1	11/18/2014	Conference	Chicago, IL
	R-15-T-00042401	10/1/2014	10/2/2014	125.75	1	3/4/2015	Meeting	Local
(blank)	R-14-T-00035425	1/8/2014	1/8/2014	93.04	1	1/15/2014	Meeting	Local
	R-14-T-00048577	12/3/2013	2/18/2014	95.62	1	2/27/2014	Meeting	Local
	R-14-T-00054692	3/6/2014	3/6/2014	135.60	1	3/19/2014	Meeting	Local

	R-14-T-00069713	1/22/2014	4/9/2014	110.80	1	4/30/2014	Meeting	Local
	R-14-T-00100341	5/13/2014	6/30/2014	106.80	1	7/10/2014	Meeting	Local
	R-14-T-00121020	4/22/2014	8/21/2014	106.80	1	8/29/2014	Meeting	Local
	R-15-T-00006876	8/27/2014	8/27/2014	60.01	1	10/24/2014	Meeting	Local
	R-15-T-00006877	8/27/2014	8/27/2014	6.80	1	10/24/2014	Meeting	Local
	R-15-T-00015031	10/22/2014	10/22/2014	101.58	1	11/18/2014	Meeting	Local
	R-15-T-00015032	10/22/2014	10/22/2014	66.80	1	11/18/2014	Meeting	Local
	R-15-T-00040061	12/9/2014	12/9/2014	148.40	1	2/24/2015	Meeting	Local
	R-15-T-00040062	12/9/2014	12/9/2014	6.80	1	2/24/2015	Meeting	Local
KAUFMAN, DAVID J	TANUM107390	10/7/2014	10/7/2014	140.00	1	11/14/2014	Meeting	Anniston, AL
	R-15-T-00013389	10/7/2014	10/7/2014	561.70	1	11/14/2014	Meeting	Anniston, AL
	TANUM107391	10/24/2014	10/24/2014	291.60	1	12/4/2014	Conference	Fort Lauderdale, FL
	R-15-T-00020657	10/24/2014	10/24/2014	934.42	1	12/4/2014	Conference	Fort Lauderdale, FL
	R-15-T-00020658	10/24/2014	10/24/2014	934.42	1	12/4/2014	Conference	FL
	TANUM109560	11/2/2014	11/2/2014	861.36	1	1/12/2015	Meeting	Vancouver, CAN, Denver, CO
	R-15-T-00030483	11/2/2014	11/2/2014	861.36	1	1/12/2015	Meeting	Vancouver, CAN, Denver, CO
	R-15-T-00030484	11/2/2014	11/2/2014	1,417.94	1	1/12/2015	Meeting	CAN, Denver, CO
TANUM119140	R-15-T-00020934	11/17/2014	11/17/2014	101.41	1	12/4/2014	Meeting	Boston, MA
	R-15-T-00020935	11/17/2014	11/17/2014	241.74	1	12/4/2014	Meeting	Boston, MA
TANUM125387	R-15-T-00030602	12/8/2014	12/8/2014	1,447.70	1	1/12/2015	Conference	Paris, France
	R-15-T-00030603	12/8/2014	12/8/2014	2,907.60	1	1/12/2015	Conference	Paris, France
TANUM15429	R-14-T-00036942	1/8/2014	1/8/2014	81.70	1	1/22/2014	Meeting	Atlanta
	R-14-T-00036943	1/8/2014	1/8/2014	320.75	1	1/22/2014	Meeting	Atlanta
TANUM17455	R-14-T-00065253	1/28/2014	1/29/2014	474.95	1	4/17/2014	Conference	Ottawa, Canada
	R-14-T-00065254	1/28/2014	1/29/2014	997.05	1	4/17/2014	Conference	Ottawa, Canada
TANUM33975	R-14-T-00065165	2/9/2014	2/12/2014	761.73	1	4/17/2014	Conference	Rotterdam, Netherlands

		R-14-T-00065166	2/9/2014	2/12/2014	14.75	1	4/17/2014	Conference	Rotterdam, Netherlands
TANUM66835		R-14-T-00091555	3/19/2014	3/19/2014	104.87	1	6/25/2014	Meeting	Philadelphia
		R-14-T-00091556	3/19/2014	3/19/2014	230.24	1	6/25/2014	Meeting	Philadelphia
TANUM96243		R-15-T-00000851	9/16/2014	9/18/2014	1,250.74	1	10/7/2014	Meeting	Los Angeles, CA
TANUM96427		R-15-T-00002041	9/25/2014	9/25/2014	157.70	1	10/9/2014	Meeting	New York, NY
(blank)		R-15-T-00002042	9/25/2014	9/25/2014	418.72	1	10/9/2014	Meeting	New York, NY
		R-14-T-00065239	10/22/2013	1/16/2014	160.02	1	4/17/2014	Meeting	Local
		R-14-T-00112805	1/8/2014	7/28/2014	389.10	1	8/13/2014	Meeting	Local
		R-14-T-00132603	8/8/2014	9/11/2014	89.80	1	9/29/2014	Meeting	Local
		R-14-T-00137007	9/24/2014	9/24/2014	117.68	1	10/3/2014	Meeting	Local
		R-15-T-00036973	10/20/2014	10/20/2014	136.26	1	2/11/2015	Meeting	Local
		R-15-T-00036974	10/20/2014	10/20/2014	209.04	1	2/11/2015	Meeting	Local
LEMAITRE, RAFAEL		R-14-T-00118174	7/27/2014	7/29/2014	384.84	1	8/21/2014	Meeting	Local
		R-15-T-00017651	11/3/2014	11/3/2014	67.00	1	11/24/2014	Meeting	Detroit, MI
		R-15-T-00017652	11/3/2014	11/3/2014	494.74	1	11/24/2014	Meeting	Detroit, MI
TANUM94825		R-15-T-00023597	9/5/2014	9/5/2014	287.04	1	12/11/2014	Meeting	Local
TANUM96089		R-15-T-00006760	9/29/2014	9/29/2014	209.18	1	10/22/2014	Conference	Chicago, IL
		R-15-T-00006761	9/29/2014	9/29/2014	734.81	1	10/22/2014	Conference	Chicago, IL
(blank)		R-14-T-00135177	9/9/2014	9/12/2014	33.54	1	9/30/2014	Meeting	Local
		R-14-T-00135429	7/30/2014	8/13/2014	63.46	1	9/30/2014	Meeting	Local
		R-15-T-00024010	12/8/2014	12/8/2014	146.00	1	12/12/2014	Meeting	Local
		R-15-T-00024011	12/8/2014	12/8/2014	6.80	1	12/12/2014	Meeting	Local
		R-15-T-00050018	9/2/2014	9/2/2014	293.21	1	4/3/2015	Meeting	Local
		R-15-T-00050019	9/2/2014	9/2/2014	6.80	1	4/3/2015	Meeting	Local
MANNING, TIMOTHY W		R-15-T-00021711	11/4/2014	11/4/2014	0.00	1	12/3/2014	Meeting	Brussels, Belgium, Tel Aviv, Israel
		R-15-T-00021712	11/4/2014	11/4/2014	0.00	1	12/3/2014	Meeting	Brussels, Belgium, Tel Aviv, Israel

	R-15-T-00022455	11/4/2014	11/4/2014	11/4/2014	1	12/8/2014	Meeting	Brussels, Belgium, Tel Aviv, Israel
	R-15-T-00022456	11/4/2014	11/4/2014	11/4/2014	1	12/8/2014	Meeting	Brussels, Belgium, Tel Aviv, Israel
TANUM118278	R-15-T-00019866	11/16/2014	11/16/2014	11/16/2014	1	12/1/2014	Meeting	San Antonio, TX
	R-15-T-00019867	11/16/2014	11/16/2014	11/16/2014	1	12/1/2014	Meeting	San Antonio, TX
TANUM124782	R-15-T-00025344	12/2/2014	12/2/2014	12/2/2014	1	12/17/2014	Meeting	EMI
	R-15-T-00025345	12/2/2014	12/2/2014	12/2/2014	14.75	12/17/2014	Meeting	EMI
TANUM14082	R-14-T-00036562	1/7/2014	1/10/2014	1/10/2014	399.00	1/22/2014	Meeting	Honolulu, HI
	R-14-T-00036563	1/7/2014	1/10/2014	1/10/2014	1,990.36	1/22/2014	Meeting	Honolulu, HI
TANUM19442	R-14-T-00048591	2/10/2014	2/11/2014	2/11/2014	108.50	2/28/2014	Meeting	Ft. Lauderdale, FL
	R-14-T-00048592	2/10/2014	2/11/2014	2/11/2014	728.95	2/28/2014	Meeting	Ft. Lauderdale, FL
TANUM23031	R-14-T-00057777	3/6/2014	3/14/2014	3/14/2014	389.07	3/27/2014	Meeting	Honolulu, HI
	R-14-T-00057778	3/6/2014	3/14/2014	3/14/2014	3,246.00	3/27/2014	Meeting	Honolulu, HI
TANUM24306	R-14-T-00051052	2/17/2014	2/22/2014	2/22/2014	920.21	3/10/2014	Meeting	Australia
	R-14-T-00051053	2/17/2014	2/22/2014	2/22/2014	311.71	3/10/2014	Meeting	Australia
TANUM36026	R-14-T-00063575	3/28/2014	3/31/2014	3/31/2014	325.50	4/10/2014	Meeting	Anchorage, AK
	R-14-T-00063576	3/28/2014	3/31/2014	3/31/2014	1,455.03	4/10/2014	Meeting	Anchorage, AK
TANUM42561	R-14-T-00076503	4/29/2014	5/1/2014	5/1/2014	177.50	5/19/2014	Meeting	Monterey, CA
	R-14-T-00076504	4/29/2014	5/1/2014	5/1/2014	1,310.65	5/19/2014	Meeting	Monterey, CA
TANUM52246	R-14-T-00081329	5/19/2014	5/20/2014	5/20/2014	99.00	5/29/2014	Meeting	Philadelphia, PA
	R-14-T-00081330	5/19/2014	5/20/2014	5/20/2014	415.78	5/29/2014	Meeting	Philadelphia, PA
TANUM54414	R-14-T-00088858	5/26/2014	5/30/2014	5/30/2014	515.50	6/18/2014	Meeting	Guayaquil, Ecuador
	R-14-T-00088859	5/26/2014	5/30/2014	5/30/2014	1,958.30	6/18/2014	Meeting	Guayaquil, Ecuador

TANUM66346	R-14-T-00099780	6/23/2014	6/24/2014	164.09	1	7/10/2014	Conference	Broomfield, CO
	R-14-T-00099781	6/23/2014	6/24/2014	1,139.55	1	7/10/2014	Conference	Broomfield, CO
	R-14-T-00106829	6/23/2014	6/23/2014	29.00	1	7/25/2014	Conference	Broomfield, CO
TANUM73713	R-14-T-00113507	7/20/2014	7/25/2014	1,036.06	1	8/13/2014	Meeting	Australia
	R-14-T-00113508	7/20/2014	7/25/2014	7,402.09	1	8/13/2014	Meeting	Australia
TANUM74125	R-14-T-00107089	7/14/2014	7/15/2014	106.50	1	7/28/2014	Conference	Manhattan, NY
	R-14-T-00107090	7/14/2014	7/15/2014	765.12	1	7/28/2014	Conference	Manhattan, NY
TANUM74521	R-14-T-00121616	8/9/2014	8/13/2014	649.07	1	9/5/2014	Conference	China
	R-14-T-00121617	8/9/2014	8/13/2014	3,672.78	1	9/5/2014	Conference	China
TANUM97887	R-15-T-00013908	10/7/2014	10/7/2014	535.25	1	11/14/2014	Meeting	Honolulu, HI, Atlanta, GA
	R-15-T-00013909	10/7/2014	10/7/2014	3,014.19	1	11/14/2014	Meeting	Honolulu, HI, Atlanta, GA
	R-15-T-00025238	10/7/2014	10/12/2014	339.75	1	12/17/2014	Meeting	Honolulu, HI, Atlanta, GA
TANUM98175	R-15-T-00003824	9/24/2014	9/24/2014	106.50	1	10/14/2014	Meeting	New York, NY
	R-15-T-00003825	9/24/2014	9/24/2014	918.10	1	10/14/2014	Meeting	New York, NY
TANUM100365	R-15-T-00003358	9/18/2014	9/18/2014	113.80	1	10/9/2014	Meeting	Chicago, IL
	R-15-T-00003359	9/18/2014	9/18/2014	544.23	1	10/9/2014	Meeting	Chicago, IL
TANUM107144	R-15-T-00012223	10/5/2014	10/5/2014	220.75	1	11/7/2014	Meeting	Miami, FL, Key West, FL
	R-15-T-00012224	10/5/2014	10/5/2014	956.47	1	11/7/2014	Meeting	Miami, FL, Key West, FL
TANUM107435	R-15-T-00012130	10/7/2014	10/7/2014	69.00	1	11/7/2014	Meeting	Anniston, AL
	R-15-T-00012131	10/7/2014	10/7/2014	213.49	1	11/7/2014	Meeting	Anniston, AL
TANUM111422	R-15-T-00017709	10/28/2014	10/28/2014	202.50	1	11/24/2014	Meeting	Broomfield, CO

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	R-15-T-00017710	10/28/2014	10/28/2014	1,080.26	1	11/24/2014	Meeting	Broomfield, CO
TANUM119045	R-15-T-00019574	11/15/2014	11/15/2014	247.58	1	12/1/2014	Conference	San Antonio, TX
	R-15-T-00019575	11/15/2014	11/15/2014	827.60	1	12/1/2014	Conference	San Antonio, TX
TANUM20745	R-14-T-00048601	2/10/2014	2/11/2014	55.00	1	2/28/2014	Meeting	Atlanta
	R-14-T-00048602	2/10/2014	2/11/2014	389.03	1	2/28/2014	Meeting	Atlanta
TANUM21263	R-14-T-00048603	2/7/2014	2/8/2014	101.50	1	2/28/2014	Meeting	Mobile, AL
	R-14-T-00048604	2/7/2014	2/8/2014	429.55	1	2/28/2014	Meeting	Mobile, AL
								Chicago, IL, Des Moines, IA, Washington, DC
TANUM26765	R-14-T-00054735	2/26/2014	3/4/2014	428.96	1	3/19/2014	Meeting	Chicago, IL, Des Moines, IA, Washington, DC
	R-14-T-00054736	2/26/2014	3/4/2014	396.25	1	3/19/2014	Meeting	Chicago, IL, Des Moines, IA, Washington, DC
TANUM29615	R-14-T-00054739	3/5/2014	3/6/2014	69.00	1	3/19/2014	Meeting	Winchester, VA
	R-14-T-00054740	3/5/2014	3/6/2014	103.81	1	3/19/2014	Meeting	Winchester, VA
TANUM29775	R-14-T-00058741	3/18/2014	3/20/2014	318.38	1	3/28/2014	Meeting	Philadelphia
	R-14-T-00058742	3/18/2014	3/20/2014	636.30	1	3/28/2014	Meeting	Philadelphia
TANUM30234	R-14-T-00065308	3/25/2014	3/26/2014	461.50	1	4/17/2014	Meeting	Boston, MA
	R-14-T-00065309	3/25/2014	3/26/2014	673.00	1	4/17/2014	Meeting	Boston, MA
TANUM40524	R-14-T-00079541	4/15/2014	4/17/2014	236.50	1	5/27/2014	Mission	Lynnwood, WA
	R-14-T-00079542	4/15/2014	4/17/2014	606.20	1	5/27/2014	Mission	Lynnwood, WA
TANUM42534	R-14-T-00075551	4/27/2014	5/5/2014	221.00	1	5/15/2014	Meeting	Atlanta, GA
	R-14-T-00075552	4/27/2014	5/5/2014	749.80	1	5/15/2014	Meeting	Atlanta, GA

TANUM52207	R-14-T-00093498	5/26/2014	5/30/2014	490.50	1	6/25/2014	Meeting	Guayaquil, Ecuador
	R-14-T-00093499	5/26/2014	5/30/2014	1,994.21	1	6/25/2014	Meeting	Guayaquil, Ecuador
TANUM58090	R-14-T-00106616	6/3/2014	6/8/2014	439.50	1	7/24/2014	Conference	Seattle, WA, Des Moines, IA
	R-14-T-00106617	6/3/2014	6/8/2014	1,531.67	1	7/24/2014	Conference	Seattle, WA, Des Moines, IA
TANUM63730	R-14-T-00105819	6/12/2014	6/14/2014	240.50	1	7/22/2014	Meeting	New Orleans, Kenner, LA
	R-14-T-00105820	6/12/2014	6/14/2014	1,028.50	1	7/22/2014	Meeting	New Orleans, Kenner, LA
TANUM85015	R-15-T-00012225	10/9/2014	10/9/2014	204.10	1	11/7/2014	Conference	Atlanta, GA
	R-15-T-00012226	10/9/2014	10/9/2014	764.30	1	11/7/2014	Conference	Atlanta, GA
TANUM94447	R-14-T-00130044	9/10/2014	9/10/2014	122.90	1	9/22/2014	Meeting	Adams City, CO
	R-14-T-00130045	9/10/2014	9/10/2014	677.78	1	9/23/2014	Meeting	Adams City, CO
TANUM109416	R-15-T-00090934	10/11/2014	10/11/2014	38.00	1	10/31/2014	Meeting	EMI
	R-15-T-00090935	10/11/2014	10/11/2014	14.75	1	10/30/2014	Meeting	EMI
TANUM124272	R-15-T-00027426	12/2/2014	12/2/2014	84.00	1	12/24/2014	Meeting	EMI
	R-15-T-00027427	12/2/2014	12/2/2014	14.75	1	12/24/2014	Meeting	EMI
TANUM19004	R-14-T-00046868	1/28/2014	1/30/2014	176.00	1	2/25/2014	Meeting	Orlando, FL
	R-14-T-00046869	1/28/2014	1/30/2014	865.50	1	2/25/2014	Meeting	Orlando, FL
TANUM22725	R-14-T-00050770	2/11/2014	2/13/2014	339.80	1	3/10/2014	Meeting	Miami, FL
	R-14-T-00050771	2/11/2014	2/13/2014	659.32	1	3/10/2014	Meeting	Miami, FL
TANUM26550	R-14-T-00061115	2/22/2014	3/2/2014	845.98	1	4/7/2014	Meeting	Long Beach, CA
	R-14-T-00061116	2/22/2014	3/2/2014	900.28	1	4/7/2014	Meeting	Long Beach, CA
TANUM40231	R-14-T-00066518	4/9/2014	4/12/2014	213.50	1	4/18/2014	Meeting	Bend, OR
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	R-14-T-00066519	4/9/2014	4/12/2014	1,138.27	1	4/18/2014	Meeting	Bend, OR
TANUM40968	R-14-T-00065023	3/9/2014	3/13/2014	274.50	1	4/17/2014	Meeting	Henderson, NV, Tampa Bay, FL
TANUM44300	R-14-T-00065024	3/9/2014	3/13/2014	1,556.20	1	4/17/2014	Meeting	Henderson, NV, Tampa Bay, FL
	R-14-T-00076320	5/2/2014	5/2/2014	64.73	1	5/19/2014	Meeting	Columbus, OH
	R-14-T-00076321	5/2/2014	5/2/2014	655.24	1	5/19/2014	Meeting	Columbus, OH
TANUM53625	R-14-T-00091226	5/15/2014	5/19/2014	207.42	1	6/25/2014	Conference	Long Beach, CA
TANUM60173	R-14-T-00091227	5/15/2014	5/19/2014	1,086.21	1	6/25/2014	Conference	Long Beach, CA
	R-14-T-00105421	6/1/2014	6/5/2014	132.40	1	7/23/2014	Conference	Baltimore, MD
	R-14-T-00105422	6/1/2014	6/5/2014	786.98	1	7/23/2014	Conference	Baltimore, MD
TANUM64904	R-14-T-00098964	6/16/2014	6/17/2014	99.00	1	7/14/2014	Meeting	Oklahoma City, OK
TANUM73431	R-14-T-00098965	6/16/2014	6/17/2014	809.32	1	7/14/2014	Meeting	Oklahoma City, OK
	R-14-T-00112593	7/8/2014	7/9/2014	142.34	1	8/8/2014	Meeting	Burbank, CA
	R-14-T-00112594	7/8/2014	7/9/2014	466.24	1	8/8/2014	Meeting	Burbank, CA
TANUM81627	R-14-T-00115556	7/29/2014	7/30/2014	97.50	1	8/15/2014	Meeting	Linthicum Heights, MD
	R-14-T-00115557	7/29/2014	7/30/2014	197.82	1	8/15/2014	Meeting	Linthicum Heights, MD
TANUM82739	R-14-T-00116081	8/2/2014	8/4/2014	215.50	1	8/19/2014	Conference	Ft. Lauderdale, FL
TANUM84770	R-14-T-00116082	8/2/2014	8/4/2014	826.08	1	8/19/2014	Conference	Ft. Lauderdale, FL
	R-14-T-00123682	8/13/2014	8/17/2014	379.50	1	9/5/2014	Conference	Dallas, TX
	R-14-T-00123683	8/13/2014	8/17/2014	1,332.29	1	9/5/2014	Conference	Dallas, TX
TANUM88316	R-15-T-00000335	9/4/2014	9/7/2014	687.75	1	10/3/2014	Meeting	Boston, MA
TANUM93552	R-14-T-00129939	9/9/2014	9/9/2014	97.33	1	9/22/2014	Conference	Orlando, FL
	R-14-T-00129940	9/9/2014	9/9/2014	581.30	1	9/23/2014	Conference	Orlando, FL

MLADE, NICOLE K	TANUM100627	R-15-T-00026693	9/27/2014	9/30/2014	1 12/24/2014	Conference	Chicago, IL
	TANUM106608	R-15-T-00002472	9/25/2014	9/26/2014	1 10/9/2014	Meeting	Local
	TANUM116906	R-15-T-00051643	11/3/2014	11/3/2014	1 4/9/2015	Meeting	Detroit, MI
		R-15-T-00051644	11/3/2014	11/3/2014	1 4/9/2015	Meeting	Detroit, MI
	TANUM118752	R-15-T-00026058	10/1/2014	10/1/2014	1 12/19/2014	Conference	Chicago, IL
		R-15-T-00026059	10/1/2014	10/1/2014	1 12/19/2014	Conference	Chicago, IL
	TANUM119388	R-15-T-00027025	11/15/2014	11/15/2014	1 12/24/2014	Meeting	Denver, CO, San Antonio, TX, McAllen, TX
	TANUM88508	R-15-T-00027026	11/15/2014	11/15/2014	1 12/24/2014	Meeting	Denver, CO, San Antonio, TX, McAllen, TX
		R-15-T-00020886	8/12/2014	8/12/2014	1 12/4/2014	Conference	Spokane, WA
		R-15-T-00020887	8/12/2014	8/12/2014	1 12/4/2014	Conference	Spokane, WA
	TANUM94378	R-15-T-00033864	10/8/2014	10/8/2014	1 1/28/2015	Conference	Palmetto, GA
		R-15-T-00033865	10/8/2014	10/8/2014	1 1/28/2015	Conference	Palmetto, GA
	(blank)	R-14-T-00131853	8/1/2014	9/9/2014	1 9/29/2014	Meeting	Local
		R-15-T-00029703	10/14/2014	10/14/2014	1 1/8/2015	Meeting	Local
		R-15-T-00029704	10/14/2014	10/14/2014	1 1/8/2015	Meeting	Local
MURPHY, KENNETH D.					1 2/21/2014	Training	Washington, DC
	EMS-2014-TT-00	R-14-T-00045835	2/2/2014	2/7/2014	1 11/12/2014	Meeting	Boise, ID
	TANUM113432	R-15-T-00013200	11/4/2014	11/4/2014	1 11/14/2014	Meeting	Boise, ID
		R-15-T-00013201	11/4/2014	11/4/2014	1 11/14/2014	Meeting	Boise, ID
	TANUM117997	R-15-T-00025972	12/1/2014	12/1/2014	1 12/19/2014	Meeting	EMI, Washington, DC
					1 12/19/2014	Meeting	EMI, Washington, DC
	TANUM119541	R-15-T-00019063	11/20/2014	11/20/2014	1 12/1/2014	Meeting	Medford, OR



TANUM53334	R-14-T-00089230	5/20/2014	5/21/2014	69.00	1	6/18/2014	Meeting	Moses Lake, WA
	R-14-T-00089231	5/20/2014	5/21/2014	105.97	1	6/18/2014	Meeting	Moses Lake, WA
TANUM55743	R-14-T-00098725	6/7/2014	6/12/2014	606.12	1	7/14/2014	Conference	Anchorage, AK
	R-14-T-00098726	6/7/2014	6/12/2014	2,581.03	1	7/14/2014	Conference	Anchorage, AK
TANUM58225	R-14-T-00099075	6/12/2014	6/14/2014	423.71	1	7/14/2014	Mission Special	Anchorage, AK
	R-14-T-00099076	6/12/2014	6/14/2014	1,043.10	1	7/14/2014	Mission Special	Anchorage, AK
TANUM63665	R-14-T-00098993	6/14/2014	6/18/2014	560.72	1	7/14/2014	Conference	Portland, OR
	R-14-T-00098994	6/14/2014	6/18/2014	14.75	1	7/14/2014	Conference	Portland, OR
TANUM63735	R-14-T-00099796	6/29/2014	7/1/2014	240.52	1	7/10/2014	Meeting	Craig, AK
	R-14-T-00099797	6/29/2014	7/1/2014	1,440.64	1	7/10/2014	Meeting	Craig, AK
TANUM64237	R-14-T-00101671	6/23/2014	6/26/2014	568.52	1	7/16/2014	Meeting	Anchorage, AK
	R-14-T-00101672	6/23/2014	6/26/2014	1,777.24	1	7/16/2014	Meeting	Anchorage, AK
TANUM76269	R-14-T-00111718	7/28/2014	7/29/2014	76.50	1	8/8/2014	Meeting	Grayland, WA
	R-14-T-00111719	7/28/2014	7/29/2014	131.62	1	8/8/2014	Meeting	Grayland, WA
TANUM78261	R-14-T-00123857	8/11/2014	8/15/2014	0.00	1	9/4/2014	Meeting	Spokane, WA
	R-14-T-00123858	8/11/2014	8/15/2014	0.00	1	9/4/2014	Meeting	Spokane, WA
	R-14-T-00124979	8/11/2014	8/11/2014	395.09	1	9/9/2014	Meeting	Spokane, WA
	R-14-T-00124980	8/11/2014	8/11/2014	844.81	1	9/15/2014	Meeting	Spokane, WA
TANUM78348	R-14-T-00124336	8/25/2014	8/27/2014	0.00	1	9/4/2014	Meeting	Richland, WA
	R-14-T-00124337	8/25/2014	8/27/2014	0.00	1	9/4/2014	Meeting	Richland, WA
	R-14-T-00125266	8/25/2014	8/25/2014	189.62	1	9/15/2014	Meeting	Richland, WA
	R-14-T-00125267	8/25/2014	8/25/2014	715.12	1	9/15/2014	Meeting	Richland, WA
TANUM79129	R-14-T-00109683	7/24/2014	7/24/2014	46.49	1	7/31/2014	Meeting	Portland, OR
	R-14-T-00109684	7/24/2014	7/24/2014	291.25	1	7/31/2014	Meeting	Portland, OR
TANUM85085	R-14-T-00135484	9/22/2014	9/22/2014	246.11	1	9/30/2014	Meeting	Spokane, WA
	R-14-T-00135485	9/22/2014	9/22/2014	601.33	1	9/30/2014	Meeting	Spokane, WA
TANUM86015	R-14-T-00126041	8/29/2014	8/29/2014	50.17	1	9/15/2014	Meeting	Clackamas, OR
	R-14-T-00126042	8/29/2014	8/29/2014	265.45	1	9/15/2014	Meeting	Clackamas, OR
TANUM88963	R-15-T-00012764	9/15/2014	9/16/2014	553.57	1	11/12/2014	Training	Salem, OR

TANUM89594	R-15-T-00001386	9/26/2014	9/26/2014	9/26/2014	1	10/8/2014	Meeting	Cannon Beach, OR
	R-15-T-00001387	9/26/2014	9/26/2014	9/26/2014	1	10/8/2014	Meeting	Cannon Beach, OR
TANUM93760	R-15-T-00006077	10/7/2014	10/7/2014	10/7/2014	1	10/20/2014	Meeting	Anniston AL, Atlanta GA
	R-15-T-00006078	10/7/2014	10/7/2014	10/7/2014	1	10/20/2014	Meeting	Anniston AL, Atlanta GA
(blank)	R-14-T-00070152	11/14/2014	4/14/2014	4/14/2014	1	4/30/2014	11/14/2013	Local
	R-14-T-00087399	3/23/2014	5/13/2014	5/13/2014	1	6/13/2014	Meeting	Portland, OR
	R-14-T-00106027	6/20/2014	6/20/2014	6/20/2014	1	7/24/2014	Meeting	Local
	R-14-T-00112274	7/7/2014	8/1/2014	8/1/2014	1	8/8/2014	Meeting	Local
	R-14-T-00131728	8/4/2014	9/4/2014	9/4/2014	1	9/24/2014	Meeting	Local
	R-15-T-00030053	10/14/2014	10/14/2014	10/14/2014	1	1/8/2015	Meeting	Local
	R-15-T-00030054	10/14/2014	10/14/2014	10/14/2014	1	1/8/2015	Meeting	Local
	EM-2014-TA-100	1/28/2014	1/31/2014	1/31/2014	1	3/12/2014	Special Mission	Green Bay, WI, Springfield, MO
	EM-2014-TA-100	2/6/2014	2/9/2014	2/9/2014	1	3/18/2014	Special Mission	San Francisco, CA
TANUM104407	R-15-T-00012258	10/1/2014	10/1/2014	10/1/2014	1	11/7/2014	Meeting	Santa Barbara, CA
	R-15-T-00012259	10/1/2014	10/1/2014	10/1/2014	1	11/7/2014	Meeting	Santa Barbara, CA
TANUM107840	R-15-T-00011715	10/3/2014	10/3/2014	10/3/2014	1	11/7/2014	Meeting	Oklahoma City, OK
	R-15-T-00011716	10/3/2014	10/3/2014	10/3/2014	1	11/7/2014	Meeting	Oklahoma City, OK

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TANUM113097	R-15-T-00022287	10/30/2014	10/30/2014	10/30/2014	12/8/2014	Meeting	Wichita, KS
	R-15-T-00022288	10/30/2014	10/30/2014	10/30/2014	12/8/2014	Meeting	Wichita, KS
TANUM113099	R-15-T-00022289	10/27/2014	10/27/2014	10/27/2014	12/8/2014	Meeting	Atlanta, GA
	R-15-T-00022290	10/27/2014	10/27/2014	10/27/2014	12/8/2014	Meeting	Atlanta, GA
TANUM125351	R-15-T-00030604	12/7/2014	12/7/2014	12/7/2014	1/12/2015	Meeting	Hilo, HI, Honolulu, HI
	R-15-T-00030605	12/7/2014	12/7/2014	12/7/2014	1/12/2015	Meeting	Hilo, HI, Honolulu, HI
TANUM129150	R-15-T-00032816	12/21/2014	12/21/2014	12/21/2014	1/26/2015	Meeting	Denver, CO
	R-15-T-00032817	12/21/2014	12/21/2014	12/21/2014	1/26/2015	Meeting	Denver, CO
TANUM15527	R-14-T-00050341	1/9/2014	1/10/2014	1/10/2014	3/10/2014	Meeting	New York, NY
	R-14-T-00050342	1/9/2014	1/10/2014	1/10/2014	3/10/2014	Meeting	New York, NY
TANUM28068	R-14-T-00052736	2/26/2014	2/28/2014	2/28/2014	3/12/2014	Meeting	Indianapolis, IN
	R-14-T-00052737	2/26/2014	2/28/2014	2/28/2014	3/12/2014	Meeting	Indianapolis, IN
TANUM30859	R-14-T-00056858	3/5/2014	3/11/2014	3/11/2014	3/25/2014	Meeting	Irvine, CA, San Diego, Los Angeles
	R-14-T-00056859	3/5/2014	3/11/2014	3/11/2014	3/25/2014	Meeting	Irvine, CA, San Diego, Los Angeles
TANUM34495	R-14-T-00064569	3/18/2014	3/18/2014	3/18/2014	4/17/2014	Meeting	San Diego, CA
TANUM34504	R-14-T-00064355	3/17/2014	3/19/2014	3/19/2014	4/17/2014	Meeting	Salt Lake City, UT, San Diego
	R-14-T-00064356	3/17/2014	3/19/2014	3/19/2014	4/17/2014	Meeting	Salt Lake City, UT, San Diego
TANUM34694	R-14-T-00065411	3/23/2014	3/25/2014	3/25/2014	4/17/2014	Meeting	New Orleans
	R-14-T-00065412	3/23/2014	3/25/2014	3/25/2014	4/17/2014	Meeting	New Orleans
TANUM37182	R-14-T-00064357	3/27/2014	3/28/2014	3/28/2014	4/17/2014	Meeting	Orlando, FL
	R-14-T-00064358	3/27/2014	3/28/2014	3/28/2014	4/17/2014	Meeting	Orlando, FL
TANUM37970	R-14-T-00062348	3/27/2014	3/27/2014	3/27/2014	4/9/2014	Meeting	Orlando, FL
TANUM38861	R-14-T-00092370	3/31/2014	4/5/2014	4/5/2014	6/25/2014	Mission	Bothell, WA
	R-14-T-00092371	3/31/2014	4/5/2014	4/5/2014	6/25/2014	Mission	Bothell, WA

TANUM40802	R-14-T-00078741	4/5/2014	4/9/2014	511.89	1	5/23/2014	Conference	Colorado Springs, CO
	R-14-T-00078742	4/5/2014	4/9/2014	1,133.66	1	5/23/2014	Conference	Colorado Springs, CO
TANUM41947	R-14-T-00065381	3/20/2014	3/20/2014	181.22	1	4/17/2014	Meeting	Harrisonburg, VA
	R-14-T-00065382	3/20/2014	3/20/2014	14.75	1	4/17/2014	Meeting	Harrisonburg, VA
TANUM45526	R-14-T-00079263	4/22/2014	4/23/2014	314.00	1	5/23/2014	Meeting	Grand Rapids, MI
	R-14-T-00079264	4/22/2014	4/23/2014	1,427.44	1	5/23/2014	Meeting	Grand Rapids, MI
TANUM50237	R-14-T-00079265	5/3/2014	5/4/2014	243.10	1	5/27/2014	Meeting	San Jose, CA
	R-14-T-00079266	5/3/2014	5/4/2014	867.05	1	5/27/2014	Meeting	San Jose, CA
TANUM50512	R-14-T-00079374	5/6/2014	5/6/2014	405.24	1	5/27/2014	Meeting	Phoenix, AZ
	R-14-T-00091304	5/11/2014	5/16/2014	399.50	1	6/25/2014	Meeting	Indianapolis, IN
TANUM50518	R-14-T-00091305	5/11/2014	5/16/2014	960.99	1	6/25/2014	Meeting	Indianapolis, IN
	R-14-T-00079267	5/5/2014	5/7/2014	257.35	1	5/23/2014	Meeting	Phoenix, AZ
TANUM50521	R-14-T-00079268	5/5/2014	5/7/2014	377.86	1	5/23/2014	Meeting	Phoenix, AZ
	R-14-T-00092285	5/24/2014	5/27/2014	256.07	1	6/25/2014	Meeting	Oklahoma City, OK
TANUM55269	R-14-T-00092286	5/24/2014	5/27/2014	904.85	1	6/25/2014	Meeting	Oklahoma City, OK
	R-14-T-00107907	6/3/2014	6/7/2014	407.89	1	7/28/2014	Mission	Mcallen, TX, Tucson, AZ
TANUM68809	R-14-T-00107908	6/3/2014	6/7/2014	1,367.10	1	7/28/2014	Mission	Mcallen, TX, Tucson, AZ
	R-14-T-00112283	6/8/2014	6/15/2014	687.80	1	8/8/2014	Mission	McAllen, TX
	R-14-T-00112284	6/8/2014	6/15/2014	1,409.36	1	8/8/2014	Mission	McAllen, TX
TANUM78359	R-14-T-00116952	7/15/2014	7/18/2014	344.01	1	8/20/2014	Meeting	El Paso, TX, Orlando, FL

	R-14-T-00116953	7/15/2014	7/18/2014		712.70	1	8/20/2014	Meeting	El Paso, TX, Orlando, FL
TANUM79168	R-14-T-00117935	7/17/2014	7/17/2014		109.05	1	8/25/2014	Meeting	El Paso, TX, Orlando, FL
TANUM80504	R-14-T-00116954	7/20/2014	8/1/2014		1,224.23	1	8/20/2014	Mission	Mukilteo, WA, New York, NY, Englewood, CO
	R-14-T-00116955	7/20/2014	8/1/2014		2,331.63	1	8/20/2014	Mission	Mukilteo, WA, New York, NY, Englewood, CO
TANUM85742	R-15-T-00000784	8/12/2014	8/15/2014		1,361.70	1	10/7/2014	Conference	Spokane, WA
TANUM85747	R-14-T-00135353	8/11/2014	8/11/2014		121.50	1	9/30/2014	Meeting	Philadelphia, PA
	R-14-T-00135354	8/11/2014	8/11/2014		236.75	1	9/30/2014	Meeting	Philadelphia, PA
TANUM88146	R-15-T-00001033	8/25/2014	8/25/2014		209.50	1	10/7/2014	Meeting	Kansas City, MO
	R-15-T-00001034	8/25/2014	8/25/2014		842.10	1	10/7/2014	Meeting	Kansas City, MO
TANUM95741	R-15-T-00001763	9/8/2014	9/8/2014		254.75	1	10/9/2014	Meeting	Ocean County, NJ
TANUM95746	R-15-T-00015665	9/15/2014	9/15/2014		789.26	1	11/18/2014	Meeting	Seattle, WA, San Diego, CA
	R-15-T-00015666	9/15/2014	9/15/2014		2,152.47	1	11/18/2014	Meeting	Seattle, WA, San Diego, CA
TANUM95748	R-15-T-00015667	9/26/2014	9/30/2014		622.40	1	11/18/2014	Meeting	Miami, FL, Chicago, IL
	R-15-T-00015668	9/26/2014	9/30/2014		1,570.34	1	11/18/2014	Meeting	Miami, FL, Chicago, IL
(blank)	R-14-T-00049086	9/18/2013	1/7/2014		266.80	1	2/28/2014	Meeting	Local

		R-14-T-00065372	4/11/2014	4/11/2014	4/11/2014	311.50	1	4/17/2014	Meeting	Local
		R-14-T-00095544	6/18/2014	6/18/2014	6/18/2014	118.80	1	7/1/2014	Meeting	Local
		R-14-T-00107004	5/1/2014	7/17/2014	7/24/2014	180.62	1	7/24/2014	Meeting	Local
		R-15-T-00041125	10/15/2014	10/15/2014	10/15/2014	161.07	1	2/27/2015	Meeting	Local
		R-15-T-00041126	10/15/2014	10/15/2014	10/15/2014	6.80	1	2/27/2015	Meeting	Local
										Tuscaloosa, AL, Oxford, AL, Atlanta, GA
	NIMMICH, JOSEPH L	TANUM116056	10/6/2014	10/6/2014	10/6/2014	407.88	1	11/12/2014	Conference	
			10/6/2014	10/6/2014	10/6/2014	1,468.75	1	11/14/2014	Conference	Tuscaloosa, AL, Oxford, AL, Atlanta, GA
		R-15-T-00012751	10/6/2014	10/6/2014	10/6/2014	317.00	1	12/1/2014	Conference	San Antonio, TX
		TANUM118342	11/16/2014	11/16/2014	11/16/2014	801.70	1	12/1/2014	Conference	San Antonio, TX
		R-15-T-00019623	11/16/2014	11/16/2014	11/16/2014	67.00	1	12/1/2014	Meeting	Atlanta, GA
		TANUM120525	11/20/2014	11/20/2014	11/20/2014	415.23	1	12/1/2014	Meeting	Atlanta, GA
		R-15-T-00019360	11/20/2014	11/20/2014	11/20/2014	67.20	1	1/22/2014	Meeting	Brooklyn, NY
		TANUM13793	1/9/2014	1/10/2014	1/10/2014	575.33	1	1/22/2014	Meeting	Brooklyn, NY
		R-14-T-00035840	1/9/2014	1/10/2014	1/10/2014	76.70	1	1/31/2014	Meeting	Tampa Bay, FL
		TANUM14855	1/15/2014	1/17/2014	1/17/2014	1,453.74	1	1/31/2014	Meeting	Tampa Bay, FL
		R-14-T-00039734	1/15/2014	1/17/2014	1/17/2014	29.23	1	5/15/2014	Meeting	Tampa Bay, FL
		R-14-T-00074600	1/15/2014	1/16/2014	1/16/2014	106.50	1	3/19/2014	Meeting	Chicago, IL
		TANUM28288	2/25/2014	2/26/2014	2/26/2014	652.89	1	3/19/2014	Meeting	Chicago, IL
		R-14-T-00054733	2/25/2014	2/26/2014	2/26/2014	151.04	1	3/19/2014	Meeting	Loudon County, VA
		R-14-T-00054734	2/25/2014	2/26/2014	2/26/2014	103.81	1	3/19/2014	Meeting	Loudon County, VA
		TANUM31180	3/5/2014	3/6/2014	3/6/2014	367.42	1	4/4/2014	Meeting	Philadelphia
		R-14-T-00055334	3/5/2014	3/6/2014	3/6/2014	392.92	1	4/4/2014	Meeting	Philadelphia
		R-14-T-00055335	3/5/2014	3/6/2014	3/6/2014	38.78	1	5/19/2014	Meeting	Philadelphia
		TANUM34045	3/17/2014	3/19/2014	3/19/2014	296.68	1	4/17/2014	Meeting	Anchorage, AK
		R-14-T-00060874	3/17/2014	3/19/2014	3/19/2014					
		R-14-T-00060875	3/17/2014	3/19/2014	3/19/2014					
		R-14-T-00076317	3/17/2014	3/18/2014	3/18/2014					
		TANUM36122	3/29/2014	4/2/2014	4/2/2014					

	R-14-T-00065538	3/29/2014	4/2/2014	1,854.85	1	4/17/2014	Meeting	Anchorage, AK
TANUM39797	R-14-T-00073810	4/14/2014	4/21/2014	198.35	1	5/9/2014	Meeting	Key West, FL
	R-14-T-00073811	4/14/2014	4/21/2014	2,206.22	1	5/9/2014	Meeting	Key West, FL
TANUM48348	R-14-T-00073769	4/30/2014	5/2/2014	187.00	1	5/12/2014	Meeting	Boston, MA
	R-14-T-00073770	4/30/2014	5/2/2014	1,035.06	1	5/12/2014	Meeting	Boston, MA
TANUM51348	R-14-T-00076318	5/7/2014	5/8/2014	106.50	1	5/19/2014	Meeting	Suffolk County, NY
	R-14-T-00076319	5/7/2014	5/8/2014	432.05	1	5/19/2014	Meeting	Suffolk County, NY
TANUM52546	R-14-T-00079806	5/12/2014	5/13/2014	69.00	1	5/27/2014	Mission	Tuscaloosa, AL
	R-14-T-00079807	5/12/2014	5/13/2014	976.05	1	5/27/2014	Mission	Tuscaloosa, AL
TANUM52956	R-14-T-00080823	5/19/2014	5/19/2014	900.03	1	5/29/2014	Meeting	Atlanta, GA
TANUM54966	R-14-T-00081326	5/22/2014	5/22/2014	248.03	1	5/29/2014	Meeting	Brooklyn, NY
TANUM58689	R-14-T-00088856	5/27/2014	5/29/2014	317.91	1	6/18/2014	Meeting	Chicago, IL
	R-14-T-00088857	5/27/2014	5/29/2014	793.22	1	6/18/2014	Meeting	Chicago, IL
TANUM64406	R-14-T-00098856	6/17/2014	6/19/2014	165.00	1	7/7/2014	Meeting	Miami, FL
	R-14-T-00098857	6/17/2014	6/19/2014	1,046.12	1	7/7/2014	Meeting	Miami, FL
TANUM70212	R-14-T-00108649	7/8/2014	7/10/2014	115.00	1	7/29/2014	Mission	Anniston, AL
	R-14-T-00108650	7/8/2014	7/10/2014	1,351.34	1	7/29/2014	Mission	Anniston, AL
TANUM79560	R-14-T-00118489	8/4/2014	8/9/2014	1,165.05	1	8/25/2014	Meeting	Tokyo, Japan
	R-14-T-00118490	8/4/2014	8/9/2014	3,098.76	1	8/25/2014	Meeting	Tokyo, Japan
	R-14-T-00132542	8/4/2014	8/9/2014	22.17	1	9/25/2014	Meeting	Tokyo, Japan
TANUM86357	R-14-T-00118046	8/11/2014	8/14/2014	213.50	1	8/21/2014	Meeting	Kansas City, MO
	R-14-T-00118047	8/11/2014	8/14/2014	1,058.56	1	8/21/2014	Meeting	Kansas City, MO
TANUM90744	R-14-T-00125950	8/20/2014	8/20/2014	84.00	1	9/15/2014	Meeting	Atlanta, GA
	R-14-T-00125951	8/20/2014	8/20/2014	693.20	1	9/15/2014	Meeting	Atlanta, GA
TANUM91752	R-14-T-00132377	9/9/2014	9/9/2014	343.25	1	9/24/2014	Conference	Anchorage, Fairbanks, Adak, AK
	R-14-T-00132378	9/9/2014	9/9/2014	4,468.30	1	9/30/2014	Conference	Anchorage, Fairbanks, Adak, AK

TANUM91835	R-15-T-00006345	9/16/2014	9/16/2014	9/16/2014	240.50	1	10/21/2014	Meeting	Los Angeles, CA
	R-15-T-00006346	9/16/2014	9/16/2014	9/16/2014	873.78	1	10/21/2014	Meeting	Los Angeles, CA
TANUM94794	R-15-T-00007478	10/1/2014	10/1/2014	10/1/2014	171.61	1	10/24/2014	Meeting	Chicago, IL
	R-15-T-00007479	10/1/2014	10/1/2014	10/1/2014	253.44	1	10/24/2014	Meeting	Chicago, IL
(blank)	R-14-T-00108691	6/20/2014	6/20/2014	6/20/2014	20.80	1	7/29/2014	Meeting	Local
	R-14-T-00130765	9/4/2014	9/4/2014	9/4/2014	62.52	1	9/24/2014	Meeting	Local
TANUM101278	R-14-T-00135503	9/22/2014	9/22/2014	9/22/2014	307.50	1	9/30/2014	Mission	San Juan, PR
	R-14-T-00135504	9/22/2014	9/22/2014	9/22/2014	1,557.91	1	9/30/2014	Mission	San Juan, PR
TANUM114381	R-15-T-00013344	11/4/2014	11/4/2014	11/4/2014	81.63	1	11/12/2014	Mission	Denton, TX
	R-15-T-00013345	11/4/2014	11/4/2014	11/4/2014	939.24	1	11/14/2014	Mission	Denton, TX
TANUM124839	R-15-T-00023272	12/2/2014	12/2/2014	12/2/2014	179.20	1	12/11/2014	Meeting	EMI
	R-15-T-00023273	12/2/2014	12/2/2014	12/2/2014	14.75	1	12/11/2014	Meeting	EMI
TANUM17258	R-14-T-00037480	1/16/2014	1/16/2014	1/16/2014	37.15	1	1/26/2014	Meeting	Philadelphia
	R-14-T-00037481	1/16/2014	1/16/2014	1/16/2014	324.05	1	1/26/2014	Meeting	Philadelphia
TANUM31563	R-14-T-00058103	3/12/2014	3/12/2014	3/14/2014	260.85	1	3/27/2014	Meeting	San Francisco, CA
	R-14-T-00058104	3/12/2014	3/12/2014	3/14/2014	981.77	1	3/27/2014	Meeting	San Francisco, CA
TANUM40286	R-14-T-00070149	4/14/2014	4/14/2014	4/16/2014	177.50	1	4/30/2014	Meeting	Key West, FL
	R-14-T-00070150	4/14/2014	4/14/2014	4/16/2014	1,341.56	1	4/30/2014	Meeting	Key West, FL
TANUM50221	R-14-T-00083525	5/22/2014	5/22/2014	5/22/2014	328.05	1	6/4/2014	Meeting	Atlanta, GA
TANUM74422	R-14-T-00113668	7/29/2014	7/29/2014	7/31/2014	164.80	1	8/13/2014	Mission	Overland Park, KS, Lenexa, KS
TANUM98287	R-14-T-00113669	7/29/2014	7/29/2014	7/31/2014	1,066.70	1	8/13/2014	Mission	Overland Park, KS, Lenexa, KS
	R-14-T-00132917	9/15/2014	9/15/2014	9/15/2014	148.50	1	9/25/2014	Mission	Atlanta, GA
	R-14-T-00132918	9/15/2014	9/15/2014	9/15/2014	857.23	1	9/30/2014	Mission	Atlanta, GA
(blank)	R-14-T-00114869	5/29/2014	5/29/2014	8/7/2014	239.60	1	8/15/2014	Meeting	Local
	R-15-T-00019886	10/15/2014	10/15/2014	10/15/2014	129.92	1	12/1/2014	Meeting	Local

ROBINSON, KRISTIN E		R-15-T-00019887	10/15/2014	10/15/2014	10/15/2014	6.80	1	12/1/2014	Meeting	Local
	TANUM120267	R-15-T-00030201	11/15/2014	11/15/2014	11/15/2014	276.00	1	1/8/2015	Conference	San Antonio, TX
		R-15-T-00030202	11/15/2014	11/15/2014	11/15/2014	772.87	1	1/8/2015	Conference	San Antonio, TX
	TANUM21701	R-14-T-00048930	2/7/2014	2/7/2014	2/7/2014	112.28	1	2/28/2014	Meeting	Mobile, AL
		R-14-T-00048931	2/7/2014	2/7/2014	2/7/2014	589.58	1	2/28/2014	Meeting	Mobile, AL
	TANUM40524	R-14-T-00091251	4/15/2014	4/17/2014	4/17/2014	274.98	1	6/19/2014	Meeting	Lynnwood, WA
		R-14-T-00091252	4/15/2014	4/17/2014	4/17/2014	698.66	1	6/19/2014	Meeting	Lynnwood, WA
	TANUM45367	R-14-T-00081357	4/24/2014	4/27/2014	4/27/2014	392.48	1	5/29/2014	Training	Atlanta, GA
		R-14-T-00081358	4/24/2014	4/27/2014	4/27/2014	1,028.84	1	5/29/2014	Training	Atlanta, GA
	TANUM61007	R-14-T-00108476	6/17/2014	6/20/2014	6/20/2014	442.36	1	7/29/2014	Conference	Boston, MA
		R-14-T-00108477	6/17/2014	6/20/2014	6/20/2014	202.05	1	7/29/2014	Conference	Boston, MA
	TANUM63729	R-14-T-00104099	6/13/2014	6/14/2014	6/14/2014	255.78	1	7/22/2014	Meeting	New Orleans, LA
		R-14-T-00104100	6/13/2014	6/14/2014	6/14/2014	884.14	1	7/22/2014	Meeting	New Orleans, LA
	TANUM85014	R-15-T-00016716	10/9/2014	10/9/2014	10/9/2014	402.72	1	11/21/2014	Conference	Atlanta, GA
		R-15-T-00016717	10/9/2014	10/9/2014	10/9/2014	1,107.88	1	11/21/2014	Conference	Atlanta, GA
	(blank)	R-14-T-00057611	10/22/2013	2/21/2014	2/21/2014	669.69	1	3/27/2014	Meeting	Local
		R-14-T-00124105	2/5/2014	8/12/2014	8/12/2014	0.00	1	9/4/2014	Meeting	Local
		R-14-T-00124896	2/5/2014	2/5/2014	2/5/2014	1,091.15	1	9/9/2014	Meeting	Local
		R-14-T-00124897	2/5/2014	2/5/2014	2/5/2014	6.80	1	9/16/2014	Meeting	Local
	R-14-T-00135695	8/19/2014	9/15/2014	9/15/2014	148.75	1	10/3/2014	Meeting	Local	
	R-15-T-00014865	2/22/2014	2/22/2014	2/22/2014	348.61	1	11/18/2014	Meeting	Local	
	R-15-T-00014866	2/22/2014	2/22/2014	2/22/2014	6.80	1	11/18/2014	Meeting	Local	
	R-15-T-00044647	11/13/2014	11/13/2014	11/13/2014	538.86	1	3/12/2015	Meeting	Local	
	R-15-T-00044648	11/13/2014	11/13/2014	11/13/2014	6.80	1	3/12/2015	Meeting	Local	
SCOTT, JANNAH M		R-15-T-00011364	10/8/2014	10/8/2014	10/8/2014	106.92	1	11/7/2014	Special Mission	Newark, NJ
	TANUM108372	R-15-T-00011365	10/8/2014	10/8/2014	10/8/2014	285.24	1	11/7/2014	Special Mission	Newark, NJ

TANUM109392	R-15-T-00012703	10/14/2014	10/14/2014	10/14/2014	85.59	1	11/12/2014	Special Mission	Newark, NJ
	R-15-T-00012704	10/14/2014	10/14/2014	10/14/2014	343.24	1	11/14/2014	Special Mission	Newark, NJ
TANUM115837	R-15-T-00025475	11/21/2014	11/21/2014	11/21/2014	514.10	1	12/17/2014	Meeting	San Diego, CA
	R-15-T-00025476	11/21/2014	11/21/2014	11/21/2014	1,336.45	1	12/17/2014	Meeting	San Diego, CA
TANUM117054	R-15-T-00017893	11/5/2014	11/5/2014	11/5/2014	145.46	1	11/24/2014	Special Mission	Newark, NJ
	R-15-T-00017894	11/5/2014	11/5/2014	11/5/2014	448.82	1	11/24/2014	Special Mission	Newark, NJ
TANUM11812	R-14-T-00043448	12/26/2013	1/10/2014	1/10/2014	1,310.60	1	2/14/2014	Special Mission	Los Angeles, CA
	R-14-T-00043449	12/26/2013	1/10/2014	1/10/2014	2,660.55	1	2/14/2014	Special Mission	Los Angeles, CA
	R-14-T-00044175	1/11/2014	1/28/2014	1/28/2014	1,440.43	1	2/14/2014	Special Mission	Los Angeles, CA
TANUM119803	R-14-T-00044176	1/11/2014	1/28/2014	1/28/2014	2,482.31	1	2/14/2014	Special Mission	Los Angeles, CA
	R-15-T-00027336	12/3/2014	12/3/2014	12/3/2014	205.40	1	12/24/2014	Special Mission	Wayne, NJ, Newark, NJ
	R-15-T-00027337	12/3/2014	12/3/2014	12/3/2014	769.46	1	12/24/2014	Special Mission	Wayne, NJ, Newark, NJ
TANUM119817	R-15-T-00027256	12/9/2014	12/9/2014	12/9/2014	212.35	1	12/24/2014	Special Mission	Iselin, NJ
	R-15-T-00027257	12/9/2014	12/9/2014	12/9/2014	688.15	1	12/24/2014	Special Mission	Iselin, NJ
TANUM24496	R-14-T-00051070	2/19/2014	2/23/2014	2/23/2014	438.42	1	3/10/2014	Special Mission	Miami, FL
	R-14-T-00051071	2/19/2014	2/23/2014	2/23/2014	1,879.56	1	3/10/2014	Special Mission	Miami, FL
	R-14-T-00059876	2/23/2014	3/25/2014	3/25/2014	2,309.39	1	4/2/2014	Special Mission	Miami, FL
	R-14-T-00059877	2/23/2014	3/25/2014	3/25/2014	4,793.91	1	4/2/2014	Special Mission	Miami, FL

TANUM35793	R-14-T-00070943	4/1/2014	4/16/2014	1,418.79	1	5/5/2014	Special Mission	Los Angeles, CA
	R-14-T-00070944	4/1/2014	4/16/2014	1,995.00	1	5/5/2014	Special Mission	Los Angeles, CA
	R-14-T-00076371	4/17/2014	5/6/2014	1,965.12	1	5/19/2014	Special Mission	Los Angeles, CA
	R-14-T-00076372	4/17/2014	5/6/2014	4,965.13	1	5/19/2014	Special Mission	Los Angeles, CA
TANUM39038	R-14-T-00087719	5/11/2014	5/31/2014	1,790.34	1	6/13/2014	Special Mission	Los Angeles, CA
	R-14-T-00087720	5/11/2014	5/31/2014	3,121.49	1	6/13/2014	Special Mission	Los Angeles, CA
	R-14-T-00094432	6/1/2014	6/14/2014	1,150.02	1	7/1/2014	Special Mission	Los Angeles, CA
	R-14-T-00094433	6/1/2014	6/14/2014	2,806.15	1	7/1/2014	Special Mission	Los Angeles, CA
TANUM66517	R-14-T-00106244	7/9/2014	7/9/2014	42.78	1	7/24/2014	Mission	Los Angeles, CA
	R-14-T-00106245	7/9/2014	7/9/2014	220.24	1	7/24/2014	Mission	Los Angeles, CA
TANUM81839	R-14-T-00121320	8/13/2014	8/17/2014	246.62	1	9/5/2014	Special Mission	Tucson, AZ
	R-14-T-00121321	8/13/2014	8/17/2014	1,005.41	1	9/5/2014	Special Mission	Tucson, AZ
TANUM82156	R-15-T-00000807	9/13/2014	9/21/2014	2,838.50	1	10/3/2014	Special Mission	Los Angeles, CA
TANUM94630	R-14-T-00132123	9/8/2014	9/8/2014	496.24	1	9/24/2014	Special Mission	Edison, NJ
	R-14-T-00132124	9/8/2014	9/8/2014	609.35	1	9/30/2014	Special Mission	Edison, NJ
OEA-2014-TT-PA	R-14-T-00118461	5/22/2014	5/22/2014	209.74	1	8/21/2014	Conference	New Orleans, LA
TANUM67252	R-14-T-00112389	6/13/2014	6/14/2014	106.30	1	8/8/2014	Conference	New Orleans, LA

WATSON,  
DANIEL

		R-14-T-00112390	6/13/2014	6/14/2014	914.03	1	8/8/2014	Conference	New Orleans, LA
	TANUM74647	R-14-T-00111387	7/2/2014	7/4/2014	135.75	1	8/5/2014	Mission	Gainesville, FL, Jacksonville, FL
		R-14-T-00111388	7/2/2014	7/4/2014	1,463.55	1	8/5/2014	Mission	Gainesville, FL, Jacksonville, FL
ZIMMERMA N.		R-15-T-00023111	11/14/2014	11/14/2014	253.00	1	12/11/2014	Meeting	San Antonio, TX
ELIZABETH A	TANUM111825	R-15-T-00023112	11/14/2014	11/14/2014	808.79	1	12/11/2014	Meeting	San Antonio, TX
	TANUM113862	R-15-T-00016038	11/3/2014	11/3/2014	114.66	1	11/19/2014	Meeting	Oakland, CA
		R-15-T-00016039	11/3/2014	11/3/2014	162.90	1	11/19/2014	Meeting	Oakland, CA
	TANUM119047	R-15-T-00022800	11/18/2014	11/18/2014	176.19	1	12/9/2014	Meeting	Denver, CO
		R-15-T-00022801	11/18/2014	11/18/2014	564.59	1	12/9/2014	Meeting	Denver, CO
	TANUM123522	R-15-T-00025350	12/1/2014	12/1/2014	140.00	1	12/17/2014	Meeting	EMI
		R-15-T-00025351	12/1/2014	12/1/2014	29.23	1	12/17/2014	Meeting	EMI
	TANUM123563	R-15-T-00029992	12/9/2014	12/9/2014	236.01	1	1/8/2015	Meeting	Salt Lake City, UT
		R-15-T-00029993	12/9/2014	12/9/2014	1,068.97	1	1/8/2015	Meeting	Salt Lake City, UT
		R-15-T-00042577	12/9/2014	12/11/2014	45.24	1	3/6/2015	Meeting	Salt Lake City, UT
	TANUM126109	R-15-T-00039010	12/16/2014	12/16/2014	377.44	1	2/20/2015	Conference	New Orleans, LA
	TANUM12680	R-14-T-00034718	1/6/2014	1/7/2014	191.00	1	1/14/2014	Conference	San Antonio, TX
		R-14-T-00034719	1/6/2014	1/7/2014	520.08	1	1/14/2014	Conference	San Antonio, TX

TANUM12718	R-14-T-00044488	1/18/2014	1/26/2014	1/18/2014	1/26/2014	1,321.25	1	2/19/2014	Conference	Phoenix, AZ, Japan, Honolulu, HI
TANUM21368	R-14-T-00044489	1/18/2014	1/26/2014	1/18/2014	1/26/2014	4,035.62	1	2/19/2014	Conference	Phoenix, AZ, Japan, Honolulu, HI
TANUM30605	R-14-T-00047492	2/10/2014	2/11/2014	2/10/2014	2/11/2014	293.66	1	2/25/2014	Conference	Oklahoma City, OK
	R-14-T-00047493	2/10/2014	2/11/2014	2/10/2014	2/11/2014	413.05	1	2/25/2014	Conference	Oklahoma City, OK
	R-14-T-00055645	3/5/2014	3/6/2014	3/5/2014	3/6/2014	91.50	1	3/20/2014	Meeting	Loudon County, VA
	R-14-T-00055646	3/5/2014	3/6/2014	3/5/2014	3/6/2014	103.81	1	3/20/2014	Meeting	Loudon County, VA
TANUM33754	R-14-T-00062116	3/17/2014	3/18/2014	3/17/2014	3/18/2014	147.00	1	4/9/2014	Meeting	Philadelphia
	R-14-T-00062117	3/17/2014	3/18/2014	3/17/2014	3/18/2014	326.08	1	4/9/2014	Meeting	Philadelphia
TANUM44668	R-14-T-00088030	5/5/2014	5/11/2014	5/5/2014	5/11/2014	216.00	1	6/18/2014	Meeting	Redmond, OR, Phoenix, AR
	R-14-T-00088031	5/5/2014	5/11/2014	5/5/2014	5/11/2014	832.24	1	6/18/2014	Meeting	Redmond, OR, Phoenix, AR
TANUM71250	R-14-T-00114349	7/18/2014	7/26/2014	7/18/2014	7/26/2014	1,091.26	1	8/15/2014	Meeting	Canberra, Brisbane, Australia
	R-14-T-00114350	7/18/2014	7/26/2014	7/18/2014	7/26/2014	4,472.42	1	8/15/2014	Meeting	Canberra, Brisbane, Australia
TANUM79907	R-14-T-00128404	8/11/2014	8/11/2014	8/11/2014	8/11/2014	235.50	1	9/19/2014	Meeting	Kansas City, MO
	R-14-T-00128405	8/11/2014	8/11/2014	8/11/2014	8/11/2014	920.76	1	9/19/2014	Meeting	Kansas City, MO
TANUM92391	R-14-T-00135690	9/2/2014	9/4/2014	9/2/2014	9/4/2014	900.16	1	10/3/2014	Meeting	Miami, FL, Atlanta, GA

TANUM92812	R-15-T-00001350	9/16/2014	9/16/2014	9/16/2014	1	10/8/2014	Meeting	257.63	Pasadena, CA
	R-15-T-00001351	9/16/2014	9/16/2014	9/16/2014	1	10/8/2014	Meeting	856.25	Pasadena, CA
TANUM96707	R-15-T-00013196	10/6/2014	10/6/2014	10/6/2014	1	11/12/2014	Meeting	428.75	Bend, OR, Dallas, TX, Oxford, AL, Atlanta, GA
(blank)	R-15-T-00013197	10/6/2014	10/6/2014	10/6/2014	1	11/14/2014	Meeting	2,208.96	Bend, OR, Dallas, TX, Oxford, AL, Atlanta, GA
	R-14-T-00087311	4/23/2014	4/23/2014	4/23/2014	1	6/13/2014	Meeting	200.00	Local
<b>Grand Total</b>									463,955.96
									837
									4/9/2015

**Unobligated Balances**

**Question 11:**

Please provide unobligated balances within FEMA, by appropriation account, and when you anticipate that they will be expended.

**ANSWER:** See attachment #11

Appropriation/Account (Dollars in Thousands)	FY15 Enacted	Prior Year Carryover	Q1 Actual Obligations	Q2 Actual Obligations	Q3 Planned Obligations	Q4 Planned Obligations	FY15 Projected Carryover
70-15-0700 SALARIES AND	900,396	-	153,517	341,267	586,421	900,396	-
70-15/16-0700 SALARIES AND	34,000	-	724	759	14,697	15,029	18,971
70-14/15-0700 SALARIES AND	-	18,555	-	6,376	14,113	18,555	-
70-15-0560 STATE AND LOCAL PROGRAMS	1,500,000	-	9,400	46,243	1,452,000	1,500,000	-
70-15-0718 EMERGENCY	350,000	-	-	-	-	350,000	-
70-15/16-0561 ASSISTANCE TO	680,000	-	-	-	-	-	680,000
70-14/15-0561 ASSISTANCE TO	-	680,000	1,510	1,510	1,510	680,000	-
70-X-0702 DISASTER RELIEF	7,033,465	6,978,000	2,096,000	3,537,000	6,574,000	10,630,000	2,732,000
70-15/16-0702 DISASTER RELIEF	744	-	-	-	-	-	744
70-14/15-0702 DISASTER RELIEF	-	1,801	-	1,029	1,492	1,801	-
70-X-4236 NATIONAL FLOOD	4,371,053	849,328	478,452	849,328	1,990,919	2,944,635	2,275,746
70-X-0500 FLOOD HAZARD	100,000	13,376	5,672	18,769	25,984	92,096	21,280
70-15-0564 U.S. FIRE	44,000	-	6,521	18,637	39,638	44,000	-
70-X-0707 EMERGENCY FOOD	120,000	6	-	-	-	120,006	-

70-X-0703	-	310,487	-	-	-	4,628	5,692	304,795
DISASTER DIRECT								
70-X-4234	4,611	37,024	4,611	4,611	4,611	8,637	10,362	31,273
DIRECT LOAN								
70-X-0715	-	3,646	4	5	10	16	3,630	
RADIOLOGICAL								
70-14/16-0715	37,347	12	5,769	18,408	23,408	27,408	9,951	
RADIOLOGICAL								
70-13/15-0715	-	11,112	6	145	5,629	11,112	-	
RADIOLOGICAL								
70-X-0701	-	574	-	-	-	-	574	
NATIONAL								
70-X-0716	25,000	116,793	10,122	26,273	38,051	43,071	98,722	
NATIONAL								
70-X-0511	-	-	-	-	-	-	-	
OFFICE OF								
70-X-0711	-	81	-	-	-	-	-	81
READINESS,								
70-X-0560 STATE	-	16,689	-	-	9,085	14,546	2,143	
70-X-0700	-	2,458	-	88	1,273	2,458	-	

\*FY15 Disaster Relief Fund Monthly Report Through 3/31. Projected ending balance reduced by \$1B provision for reserve.

\*\*FY15 Enacted amount does not include \$6.325B in available borrowing authority

\*\*\*Pursuant to P.L. 114-4 Sec. 567, FEMA may transfer up to \$95M from this account to the DRF.

\*\*\*\*FEMA requests net budget authority for this appropriation consisting of offsetting collections that exceed operating expenses.  
\*\*\*\*\*Pursuant to P.L. 114-4 Sec. 575, PY Carryover of \$18K was rescinded.

**Note:** Quarter Actual/Planned Amounts are cumulative

**Flood Mapping****Question 12:**

Recognizing the need to take a careful look at the federal flood risk standard, can you commit to a public-involved process that gives full consideration to all documents and background materials used for developing the new FFRMS? Will those documents be released to the public with ample opportunity for their input?

**ANSWER:** On February 5, 2015, FEMA published the draft “Revised Guidelines for Implementing Executive Order 11988, Floodplain Management” (Guidelines) in the Federal Register. To date, FEMA has held eight public meetings/listening sessions nationwide to solicit input on the Guidelines, and it has hosted a national webinar with over 400 participants. Through advisories and an External Affairs Bulletin, FEMA headquarters shared information about the FFRMS, draft Implementing Guidelines, comment period, and listening sessions with, among others: congressional offices; national associations of emergency managers, flood plain managers, city and county officials, governors, and tribes; national community organizations;

and governors' DC-based representatives. FEMA regional offices similarly shared information with state, local, tribal, and territorial officials. FEMA headquarters staff held individual meetings with government officials and non governmental associations interested in discussing the FFRMS and draft Implementing Guidelines, and attended association conferences to discuss the subject with members. In response to specific requests, FEMA extended the public comment period for the Guidelines to May 6, 2015, providing an additional month for comments. There will also be additional opportunities for public involvement as agencies develop agency-specific procedures to implement their programs.

**Question 13:**

I understand that California recently revised its flood standard, but that process took two years. What state, regional and local agencies that routinely deal with flood risk management, has FEMA contacted or consulted in the development of the FFRMS or its guidance?

**ANSWER:** On February 5, 2015, FEMA published the draft "Revised Guidelines for Implementing Executive Order 11988, Floodplain Management" (Guidelines) in the Federal Register. To date, FEMA has held eight public meetings/listening sessions nationwide to solicit input on the Guidelines.

- More than 300 people attended eight public listening sessions. State and local government participants represented 25 cities, 13 counties/parishes, and nine states (including the District of Columbia). In addition to the State and local government participants, there were also participants from: local levee boards, local and national industry organizations, national and local homebuilder's associations, national and local real estate groups, national and local insurance industry group, academia, and Congressional offices
- Individuals from 21 states, 35 cities, and 16 counties/parishes, and representing educational institutions, levee districts / storm water agencies, associations, coastal authorities, and initiative organizations, were consulted through 25 in-person meetings and presentations.
- More than 400 people participated in a public webinar.

For the Sacramento, California Listening Session, attendees included representatives from the California Office of Emergency Services, the Department of Fish and Wildlife and the Department of Water Resources. Multiple regional and local flood control agencies, associations and boards participated as well as state and local community officials and flood control managers. A complete participant list for the Sacramento Listening Session is attached.

In addition, FEMA held in-person meetings with relevant local officials.

**Question 14:**

Compliance with current flood risk management requirements is strictly enforced by the local governments, but the cost of compliance with the new standard is unknown. Has a thorough cost-benefit analysis of the FFRMS alternatives been completed? If not, will it be completed before the draft implementation guidance is finalized?

**ANSWER:** The issuance of an Executive Order does not require that a cost-benefit analysis of alternatives be completed. However, an economic analysis is typically required as agencies undertake rulemaking or significant policy development.

Once the implementing guidelines are finalized, each Federal agency will carefully consider how to appropriately apply this standard to their programs. In many cases, those individual agency processes of updating regulations and procedures will involve their own process of notice and comment.

When implemented, the FFRMS will reduce flood risk, increase resilience, and diminish the likelihood of future losses, thereby reducing future costs to the Federal government, state and local governments, and the private sector.

Floodplain management standards have a proven record of reducing the costs of floods on individuals, communities, the Federal Treasury, and society as a whole. The existing floodplain management standard saves the country more than \$1.6 billion annually in prevented damages. But given the challenges of the increasing number and intensity of flood events, EO 13690 seeks to create a higher standard to better protect communities, national investments and lives.

Previous studies have shown that the expense of elevating new structures during construction is low, generally adding between 0.25 to 1.5 percent to the total construction costs for each foot of added height.

Projects based on these standards noted above have been shown to be cost-effective and provide longer-term protection against future disasters. Additionally, the Multi-hazard Mitigation Council of the National Institute of Building Sciences conducted a study on the benefits of FEMA-funded mitigation projects and concluded that they were successful and cost-effective, saving society, on the average, \$4 for every dollar spent. Put simply, studies show that although building higher and safer can be initially more costly, over time, it saves money because future storms cause less damage to properly elevated buildings.

Further, for structures built using Federal funds that require the purchase of flood insurance, the cost of building to the FFRMS may in some instances be recovered, in full or in part, in the form of decreased insurance policy payments.

**Question 15:**

Can you explain the breath of coverage of the new FFRMS? Does it go beyond federal construction activities and does it include such actions as issuance of Federal permits, licenses and approvals including Clean Water Act permits, disaster preparedness assistance, USDA agricultural subsidies, federal highway aid, loans administered by HUD, VA and FHA and other federal programs?

**ANSWER:** The question posed above regarding the scope of the Federal Flood Risk Management Standard (FFRMS) was also raised during the recent public comment period. Following the public comment period, FEMA and the Federal interagency community, through the Mitigation Framework Leadership Group (MitFLG) will analyze the comments received and respond, as appropriate, in the draft Guidelines.

The MitFLG was formed in 2013 to coordinate mitigation efforts across the Federal government and to assess the effectiveness of mitigation capabilities as they are developed and deployed across the Nation. Executive Order 13690 directed FEMA to publish, on behalf of the MitFLG, Revised Guidelines for Implementing Executive Order 11988, Floodplain Management (Guidelines) for public comment, and to host public meetings with stakeholders to solicit input.

The MitFLG is committed to considering the input of the individuals and organizations that provided their perspective on the issue. The MitFLG will provide public feedback on the types of comments received and how those were considered, adjudicated, and used to inform the policy decisions.

After the Guidelines are released, each Federal agency will carefully consider how to appropriately apply the FFRMS to their programs, and agency processes may include additional opportunities for the public to provide input before making final decisions about implementing the FFRMS.

**Question 16:**

It is my understanding that the Water Resources Council has not received federal funding since 1982, yet the Executive Order 13690 calls for it to issue the amended guidelines to implement the FFRMS. Why is that? Since the Council has not been active, have all its actions with regard to the FFRMS been with federal public notice and meeting requirements?

**ANSWER:** The Water Resources Council (WRC) is a group comprised of the heads of eight departments and agencies. Each of these departments and agencies has a role in the federal management of our nation's water and related land resources. In 1978, the WRC published "Floodplain Management Guidelines for Implementing E.O. 11988." Pursuant to E.O. 13690, issued in January of this year, and consistent with applicable requirements, the WRC will issue updated Floodplain Management Guidelines based on recommendations from the MitFLG that

take into account the comments received during the public comment period on the draft Revised Floodplain Management Guidelines. The WRC has not to date convened regarding the FFRMS.

### Emergency Fuel Supply

#### **Question 17:**

Can you please speak to specific steps FEMA has taken to ensure that an emergency mobile fuel capability exists immediately following a disaster? Do these capabilities allow emergency response planners to fully account for, track and rapidly distribute aviation, diesel and unleaded fuels within disaster areas during the first 72 hours after impact? If not, is this something that should be developed?

**ANSWER:** The Defense Logistics Agency (DLA) continues to maintain a national-level fuel support contract to deliver fuel during disasters. In 2013, the FEMA Logistics Management Directorate (LMD) developed a Fuel Services Pre-scripted Mission Assignment (PSMA) with Department of Defense/DLA. An Inter-Agency Agreement was updated in 2014 to expand beyond the hurricane states and also provide fuel support and training in the Continental United States. In May of 2014, the FEMA LMD Fuel Services Steering Committee and (4) Fuels Sub-Working Groups were established to address concerns with our Fueling Concept, Mission Assignment / Distribution Order Process, Accountability, and Delivery Integration based on lessons learned during Sandy.

#### **Question 18:**

Can you explain the role FEMA plays in responding to a disaster within the first 72 hours? Is there anything that can be done to create this rapid fuel distribution capability in the initial hours following a disaster? In your view, who is responsible to respond during the initial hours following a disaster? At what point does FEMA usually take control of the effort?

**ANSWER:** Within the first 72 hours, FEMA coordinates the core Federal operational capabilities needed to save lives, minimize suffering, and protect property in support of affected states.

FEMA drafted fuels PSMA which is being staffed with DLA to support petroleum efforts immediately during disaster operations. The Fuels Working Groups has developed draft products for inclusion into a single *Fuel Services Guide* outlining procedures and guidance as recommendations. FEMA is targeting July 1 for a complete working draft and will conduct a table top exercise in June to validate procedures.

The responsibility for responding to natural and manmade incidents that have recognizable geographic boundaries generally begins at the local level with individuals and public officials in the county, parish, city, or town affected by an incident.

State governments supplement local efforts before, during, and after incidents by applying in-state resources first. If a state anticipates that its resources may be exceeded, the governor may

request assistance from other states or the Federal Government. Federal assistance may be available to the states under the Stafford Act and other Federal authorities. Under some Federal laws, Federal response actions may be taken without a request from the state. Further, FEMA and our partners recognize that catastrophic events, especially those with no notice, would immediately overwhelm state and local resources and levy profound social and economic impacts. Because of this, the Federal government maintains a forward-leaning posture and readiness to act by developing deliberate plans that outline the core capabilities and tasks required for a Federal response. These plans are developed in coordination with hundreds of emergency management partners from all levels of government, non-governmental organizations, and the private sector.

### **Emergency Communications**

As you are aware, interoperable communications and media sharing in times of crisis are critical aspects of a modernized emergency response system. Unfortunately, this problem persists and has been evidenced in numerous cases from before 9/11 to the present. I have been told there is a low cost multimedia interoperability solution which is deployed in several places in the U.S. and it that has been successfully used by FEMA, DoD and other participating Federal, state and Local agencies in a series of national exercises.

#### **Question 19:**

Are you aware of a system like this, which I understand bridges different radio and communication systems, video systems, and information on demand?

**ANSWER:** FEMA is aware of a multimedia interoperability solution currently within use within the agency, DoD and other Federal, state, and local agencies. FEMA understands the importance and criticality of interoperable communications and media sharing as a support to emergency responses.

#### **Question 20:**

What are the barriers to deploying it more widely?

**ANSWER:** Interoperability communication system development requires the appropriate guidance promulgated though federal communications policies and supporting funding.

QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE DAVID YOUNG**

**W. Craig Fugate, Administrator, Federal Emergency Management  
Agency, U.S. Department of Homeland Security**

Committee on Appropriations

Subcommittee on Homeland Security

FY 2016 Federal Emergency Management Agency's Budget Request

April 23, 2015

**Cybersecurity**

Your agency is responsible for cybersecurity, and your budget reflects that this is an important component of ensuring national security. I hear from local entities in Iowa who are concerned about communicating and working with the federal government in the event of a major cyber-attack.

**Question 21:**

How does the federal government propose to communicate cyber security risks and remediation techniques to the states in the event of a significant cyber event, such as an attack on the electrical grid?

**ANSWER:** DHS communicates cybersecurity threat and vulnerability information with SLTT government partners via the Multi-State Information Sharing and Analysis Center (MS-ISAC) for the purposes of those SLTT partners protecting their own networks. All 50 States are members of the MS-ISAC and each has a designated primary member responsible for receiving notifications during steady-state operations and during a significant cyber event or incident. The DHS relationship with the MS-ISAC and its constituent member states is tested annually through exercises such as the Cyber Storm series, Cyber Guard, and the National Level Exercise.

If a significant cyber event impacts private-sector critical infrastructure in a state or territory (rather than the network of the state or territory itself) and has physical consequences, DHS will work directly with the state or territory to keep them informed. NPPD is working with states and territories through the Council of Governors and the National Governors Association to ascertain at which severity level do states and territories want to be informed about an incident, what types of information do states and territories want, and how should the state and territory protect that information and keep it confidential if it impacts a private-sector company. DHS looks forward to working with states and territories over the next year to help them refine their information requirements.

**Question 22:**

Will the Multi-State Information Sharing and Analysis Center be the main conduit for states to receive cyber threat information from the federal government in the future?

**ANSWER:** The MS-ISAC is the principal conduit for sharing cyber threat and vulnerability information between SLTT governments and DHS. DHS also engages at a strategic level with other SLTT organizations, including the National Governors Association (NGA) and the National Association of State Chief Information Officers (NASCIO). These engagements are intended to ensure broad awareness of cybersecurity risks and ensure that cybersecurity is appropriately emphasized as a key part of each state's risk management strategy.

**Question 23:**

How does the federal government propose to communicate cyber security risks and remediation techniques to the states in the event of a significant cyber event, such as an attack on the electrical grid?

**ANSWER: Duplicate Question (Question 21).**

**QUESTIONS FOR THE RECORD SUBMITTED BY****THE HONORABLE NITA M. LOWEY****W. Craig Fugate, Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security**

Committee on Appropriations

Subcommittee on Homeland Security

FY 2016 Federal Emergency Management Agency's Budget Request

April 23, 2015

**Recoupment of FEMA Payments**

I know you are aware that 3,700 victims of Hurricane Sandy – including 2,300 New Yorkers – have received letters from FEMA notifying them that they must repay FEMA disaster assistance that they improperly received. I'm told that the average size of debt is around \$6,000, while more than half earn less than \$50,000 per year.

I understand that around 1,100 of those receiving Notice of Debt letters – or 29 percent – have submitted appeals to FEMA, and that around 426 have had the debt forgiven so far.

**Question 24:**

Do you anticipate that more people who received Notice of Debt letters will submit appeals? And do you think FEMA will forgive the debt for more of those who have already appealed?

**ANSWER:** Federal laws, including the Debt Collection Improvement Act of 1996, the Improper Payments and Information Act (IPIA) of 2002, the Improper Payments Elimination and Recovery Act (IPERA) of 2010, and the Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA) require that federal agencies take actions to identify and recover any improper payments, whether based on error or fraud. In addition, the Stafford Act and its implementing regulations require FEMA to recover payments if the payments are made in error, benefits are duplicated with another source, assistance was acquired through fraud, and/or assistance was used inappropriately.

Thus far, 29% of applicants from Sandy disasters who received Notice of Debt (NOD) letters have submitted an appeal and we anticipate that this trend will continue. Under 44 C.F.R. § 206.115, applicants have 60 days from the date on the NOD to appeal. All appeals are individually reviewed on a case by case basis, and if applicants demonstrate their eligibility for funds their debt may be overturned.

As indicated in the NOD, applicants may also work with FEMA's Finance Center to request a reduction or compromise of the debt or payment plan if they are concerned they may be unable to pay the debt.

**Question 25:**

Given that so many of those who received debt letters have relatively little income, how does FEMA decide whether it will forgive someone's debt?

**ANSWER:** If an applicant requests a compromise or payment plan, FEMA sends a Request for Information packet to the debtor. This packet includes a Debt Collection Financial Statement (DCFS). When the debtor submits their financial information, FEMA reviews the information submitted to determine whether they qualify for a full or partial compromise of the debt or a payment plan. Reviews of compromise and payment plan requests involve determining the financial ability of a debtor to pay a debt. FEMA uses the information provided by the debtor on the DCFS and the IRS Collection Financial Standards in evaluating debtors for repayment of their debt. The IRS standards are used to provide fairness, objectivity and consistency in determining reasonable and necessary living expenses for the debtor and the debtor's dependents to maintain a certain standard of living. Allowed expenses include food, clothing, healthcare, housing, utilities and transportation. Disposable income is the income reported on the DCFS less the determined reasonable living expenses. In addition, assets such as bank accounts, real property, and other property reported on the DCFS are factored into the determination of the debtor's ability to pay. The fair market value of the primary home or vehicle is excluded. If the disposable income plus the value that can be realized from the debtor's assets is positive, the debtor is required to pay either through a payment plan or lump sum. Conversely, if the number is negative the debtor qualifies for a compromise.

All compromises require verification by using various public record research tools to validate a debtor's nonmonetary assets. Inability to pay recognizes that a debtor may be unable to pay the debt within a reasonable time or is unable to pay the debt at all.

**Question 26:**

Do you think FEMA has the flexibility it needs to fairly resolve these debt issues, or would it be useful for Congress to give FEMA more authority to forgive debt?

**ANSWER:** Currently, FEMA does not have the authority to waive debt based on programmatic eligibility. Provisions of the Disaster Assistance Recoupment Fairness Act of 2011 (DARFA), Public Law 112-74, granted FEMA the authority to waive certain debts incurred as a result of improper payments; however, the legislation expired on March 26, 2013 and that authority is no longer available to the Agency.

**Question 27:**

What portion of the improper payments would you say are the result of intentional fraud; error on the part of FEMA, or error on the part of a recipient of FEMA assistance? Is it more likely

for FEMA to forgive a debt based on its own error or if the error on the part of the recipient is inadvertent?

**ANSWER:** Federal laws, including the Debt Collection Improvement Act of 1996, the Improper Payments and Information Act (IPIA) of 2002, the Improper Payments Elimination and Recovery Act (IPERA) of 2010, and the Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA) require that federal agencies take actions to identify and recover any improper payments, whether based on error or fraud. In addition, the Stafford Act and its implementing regulations require FEMA to recover payments if the payments are made in error, benefits are duplicated with another source, assistance was acquired through fraud, and/or assistance was used inappropriately.

Under certain circumstances FEMA, has the authority to compromise debt. Under 31 U.S.C. 3711, however, FEMA is not authorized to compromise a, "...claim that appears to be fraudulent, false, or misrepresented by a party with an interest in the claim, or that is based on conduct in violation of the antitrust laws." For other debts where compromise is allowed, evaluations of requests for compromises or payment plans address only the debtor's ability to pay.

Below is a breakdown of the reasons for recoupment for Sandy disasters:

Recoupment Reason	Description	# of Recoupments
Duplication of Benefits with Insurance (Repair, Replacement/ PP)	Applicant received FEMA home repair, replacement, and/or personal property awards which duplicated benefits from their insurance company	913
Housing Assistance Overpayment: Home Repair/ Rental Assistance	Applicant was overpaid for their Home Repair and/or Rental Assistance award.	747
Not Primary Residence	Applicant received assistance for a home that was not their primary residence.	657
Duplication of Benefits w/Household Member	Applicant received benefits that were also awarded to another household member for the same disaster	517
Additional Living Expenses was covered in insurance claim	Additional Living Expenses (ALE) were covered by the applicant's insurance company, therefore the rental assistance award received from FEMA was duplicative	257
Other Needs Assistance Overpayment: Personal Property	Applicant was overpaid for their personal property award	172
Duplication of Benefits with other agency	Applicant received the same type of assistance from FEMA and another organization or agency	166

Other Needs Assistance Overpayment: Transportation	Applicant was overpaid for the repair or replacement of their vehicle	120
Ownership not verified	Applicant indicated they were the owner of the home but information indicates otherwise or ownership is unverifiable.	54
Occupancy not verified	Applicant was unable to prove they occupied the home at time of the disaster	45
Invalid Substantiation or Unverifiable Info	The applicant provided invalid or unverifiable information in connection with their application for disaster assistance.	35
Housing Assistance Overpayment: Lodging Expense Reimbursement	Applicant was overpaid for lodging expense reimbursement	20
Non-compliance as a US citizen/Non-Citizen national/ or Qualified Alien	Applicant's signed Declaration and Release Form (009-0-3) is incomplete. It does not indicate that the applicant or a member of the pre-disaster household is a U.S. Citizen, non-citizen national, or qualified alien. Only applicants who fall into one of these categories are eligible for FEMA assistance.	20
Non-Compliant with flood insurance requirement	Applicant received home repair/replacement and/or personal property assistance due to flood damage but had not maintained the flood insurance requirement from a previous disaster. Accordingly, they were ineligible for the assistance received.	15
Original Individual and Household Program check/Reissued check negotiated	Applicant reported non-receipt of FEMA award check so another check was reissued. However, original check was found to have been cashed.	14
More than one application in a disaster	Applicant received assistance for multiple registrations in the same disaster and this assistance was duplicative.	13
Invalid Medical/Dental Expenses	Applicant was awarded funds for medical/dental expenses for which they were not eligible.	9

Identity Verification Failure	Applicant failed the identity verification process, therefore ineligible for assistance	5
Another Member of Household Received Insurance proceeds which covered personal property losses	Another member of the applicant's household received insurance funds for personal property items resulting in a duplication of benefits	1
Not Disaster Related	Applicant damages were not caused by the disaster	1

**Region II Administration**

FEMA Region II is currently transitioning to its sixth (6<sup>th</sup>) Acting Interim Infrastructure Branch Director since 2011. The resulting lack of continuity within the Region's Public Assistance (PA) program has led to reversals of previously approved actions and excessive delays in the processes for both approvals and appeals. If improved channels of communication and proper adjustments to program processes are not established, the State's ability to recover from federally declared disasters will continue to be impeded by FEMA's lack of competency.

Region II has the worst record of all FEMA Regions in providing responses to first appeals. FEMA's own regulations require that:

“Within 90 days following receipt of an appeal, the Regional Administrator (for first appeals) or Assistant Administrator for the Disaster Assistance Directorate (for second appeals) will notify the grantee in writing of the disposition of the appeal or of the need for additional information. A request by the Regional Administrator or Assistant Administrator for the Disaster Assistance Directorate for additional information will include a date by which the information must be provided.” (44 C.F.R. § 206.206(c)(3))

The appeals backlog in Region II currently includes 104 appeals filed on behalf of New York State agencies alone. These appeals were filed between 2012 and 2013 and all of them have been pending for over a year without a written determination or request for additional information.

In the last two years, lack of responses to official written requests from the Governor's Authorized Representative grew from 198 to more than 1,100 including appeals. Despite New York State's best efforts, Region II has a backlog of 735 outstanding requests as of April 1, 2015.

**Question 28:**

Administrator Fugate, as the head of FEMA, are you aware of the extent of these administrative backlogs in Region II?

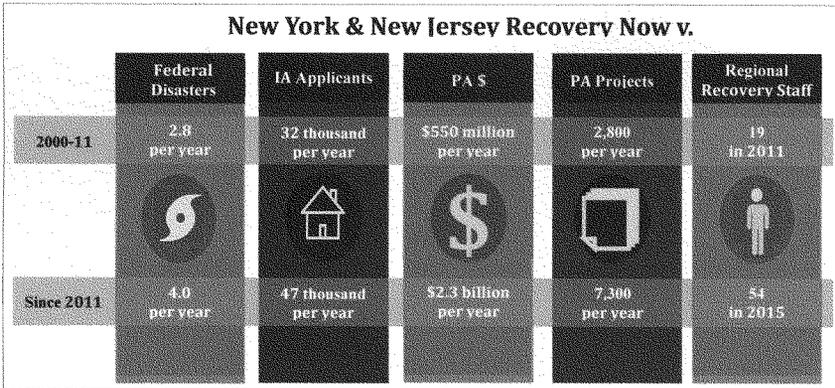
**ANSWER:** Yes, I am aware of the extensive public assistance workload being handled by Region II's Public Assistance Branch, as well as the challenges Region II has faced since Hurricanes Irene and Lee in 2011 and Hurricane Sandy in 2012. FEMA Region 2 has had an Interim PA Branch Director since June, 2013. FEMA has made significant progress in addressing these challenges and, most importantly, worked to ensure they did not disrupt Hurricane Sandy recovery efforts.

**Question 29:**

What plans does the Region have for addressing the backlog? For instance, has any attempt been made to classify the backlogged appeals based on complexity of the issues involved in order to triage the approach to dealing with the backlog?

**ANSWER:** Disaster recovery in FEMA Region II changed significantly from 2011-2015. As figure one shows, during this time frame, there has been an increase in disasters in New York and New Jersey that required in federal assistance, as compared to 2000 to 2011. The number of individuals provided assistance by FEMA increased by forty-seven percent. Both the amount of projects and federal dollars provided to State and Locals quadrupled. The driving force behind these changes was the increased frequency with which Hurricanes and Tropical Storms—historically among the most costly of Federal disasters—impacted the area. Specifically, Hurricane Irene and Tropical Storm Lee in 2011 and Hurricane Sandy in 2012 created a need for federal disaster assistance previously not seen in Region II.

In terms of the amount of disaster assistance and corresponding work, Region II now has the



**Figure 1.** Key recovery indicators for the states of New York and New Jersey in the periods before and after Hurricane Irene. Source: FEMA Enterprise Data Warehouse and Region II - January, 2015.

second largest public assistance workload in the country. In fact, as depicted in Figure 2, since Hurricane Irene, Region II administered over 70% of the federal assistance dollars provided by the Public Assistance program.

The unprecedented number of disasters that impacted Region II created a need for regional personnel that surpassed anticipation. Region II was unable to scale capacity quickly enough to handle the volume of grantee requests and appeals skyrocketed and Region II struggled to keep up with the increasing workload. As a result a backlog of work accumulated.

*Addressing the backlog*

Over the past year, FEMA Region II implemented four strategies to address the backlog:

1. **Limit growth of appeals:** ensure decisions made in disaster field offices are accurate and clearly communicated.
2. **Simplify processes:** streamline PA processes.
3. **Prioritize work:** partner with grantees to prioritize and triage work.
4. **Increase staff:** increase staff dedicated to addressing the Public Assistance backlog.

Limit Growth

In early 2013, as the increase in Region II Recovery work from Hurricane Irene and Tropical Storm Lee was compounded by Hurricane Sandy, it became clear that Region II was not be able to keep up with the significant workload. Figure 3 demonstrates that Region II was receiving more first appeals than it could close. In 2013, FEMA immediately took steps to limit the need for appeals. Specifically, FEMA sought to ensure that decisions made in field offices were accurate and clearly communicated to applicants to avoid future appeals. As figure four shows, this strategy has been successful -- the number of appeals received has been minimal and has limited the rate at which grantees are appealing FEMA determinations decreased thereby limiting growth to the existing backlog.

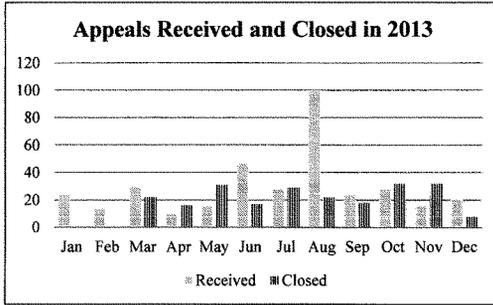


Fig. 2. Appeals Received and Closed in 2013 (Region II Appeals Database – May, 2015).



Figure 3. Rate at which a grantee appeals Region II Public Assistance decision before and after Hurricane Sandy. Source: Region II Appeals Database.

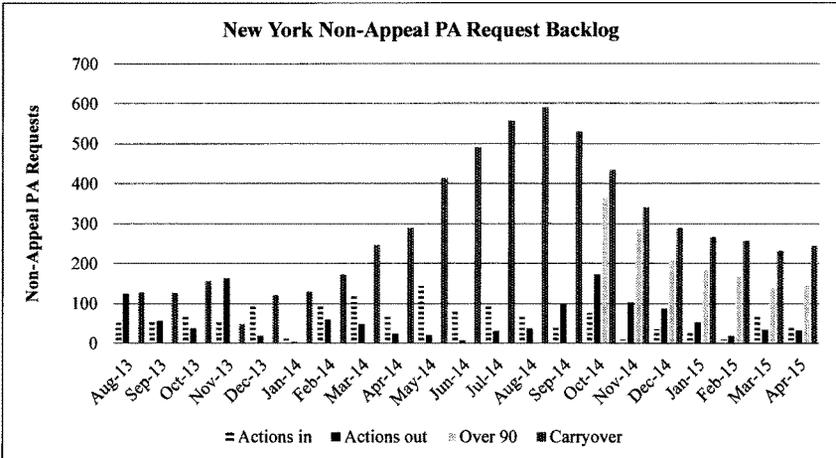
### Simplify Processes

Additionally, FEMA took steps to simplify the Public Assistance process. Following Congress' passing of the Sandy Recovery Improvement Act of 2013, Public Law 113-2, the agency implemented Public Assistance Alternative Procedures Pilot Programs for debris removal and permanent work. As directed by Congress, the pilot programs significantly streamline Public Assistance processes by providing applicants with increased flexibility while capping federal exposure. Additionally, the pilot program limits the significant administrative workload that can come with multiple change requests associated with traditional Public Assistance grants. Currently, FEMA is working with grantees to simplify post field office requests and closeout processes in order to find efficiencies that will reduce the post 2011 increase in PA workload.

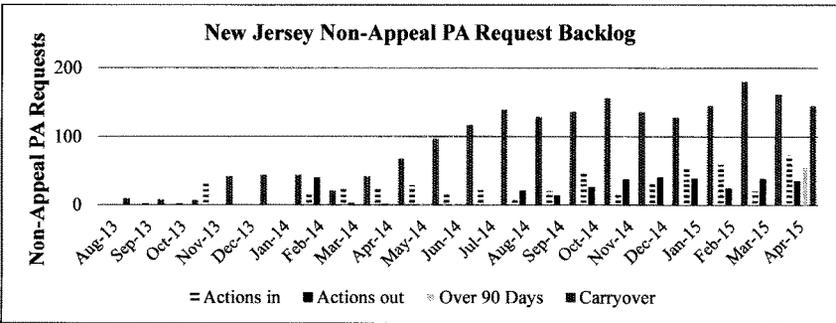
### Prioritize Work

In 2014, having ensured the backlog would not negatively impact Hurricane Sandy and future recoveries, FEMA Region II took steps to prioritize work and eliminate the backlog. FEMA began prioritizing grant change and closeouts request based on their complexity and date requested. Regarding appeals, FEMA classifies appeals based on the complexity of the issues involved and works with Grantee partners to prioritize that work according to the unique characteristics of the Grantee's recovery. FEMA assigns work to appropriate staff according to this classification. FEMA asked the States of New York and New Jersey, the Commonwealth of Puerto Rico and the U.S. Virgin Islands to prioritize actions. To date, New Jersey, the Commonwealth of Puerto Rico and the U.S. Virgin Islands have assisted FEMA with prioritizing work.

As shown in figures five and six, prioritization and the other efforts to address the backlog halted its growth and began to steadily decrease the backlog. FEMA was able to prioritize change requests where there was no substantive disagreement between the applicant, grantee, and FEMA. This prioritization effort and additional resources enabled a quick reduction in the backlog. Since the initial reduction the results have tapered as prioritization meant remaining requests involve significant complexity. To continue to make sustained progress FEMA will focus on continuing to streamlining process—especially finding efficiencies in processing change and closeout requests—and requesting additional staff as needed.



**Fig. 4: New York Non-Appeal PA Request Backlog (Source: Region II Processing Center Database - May, 2015).** Number of New York Public Assistance requests—including changes in scope, improved and alternate projects, and hazard mitigation—and number of FEMA responses after the closure of a joint field office (thereby excluding Hurricane Sandy). “Backlog” is reflected in carryover from month to month. In FY15 FEMA also began to track the number of carryover actions the grantee requested more than 90 days ago.



**Fig. 5. New Jersey Non-Appeal PA Request Backlog (Source: Region II Processing Center Database - May, 2015).** Number of New Jersey Public Assistance requests—including changes in scope, improved and alternate projects, and hazard mitigation—and number of FEMA responses after the closure of a joint field office (thereby excluding Hurricane Sandy). “Backlog” is reflected in carryover from month to month. In FY15 FEMA also began to track the number of carryover actions the grantee requested more than 90 days ago.

Increase Staff

In addition to the three other strategies, FEMA Region II is significantly increasing the number of staff dedicated to Region II’s Public Assistance program. Specifically, FEMA is hiring additional Regional Public Assistance staff, detailing staff to address the backlog, deploying disaster reservists for temporary assignments and transferring work to other FEMA regions with

excess capacity. In 2014, FEMA added six new employees to its regional Public Assistance processing center and three new employees to its appeals teams. In April Region II extended job offers to an additional six appeals staff and four processing center staff. While recruiting for and hiring these positions, FEMA is also analyzing the changing workload of the region and developing a new staffing model for the region’s Public Assistance program. In addition to these long term efforts, FEMA recently deployed an additional eight appeals staff and fifteen processing center staff to address the backlogs. Regarding appeals, FEMA hired new permanent staff at the end of FY14 and detailed additional staff in the first quarter of FY15. As shown in figure seven, this additional staff made initial progress in eliminating FEMA’s appeals backlog.

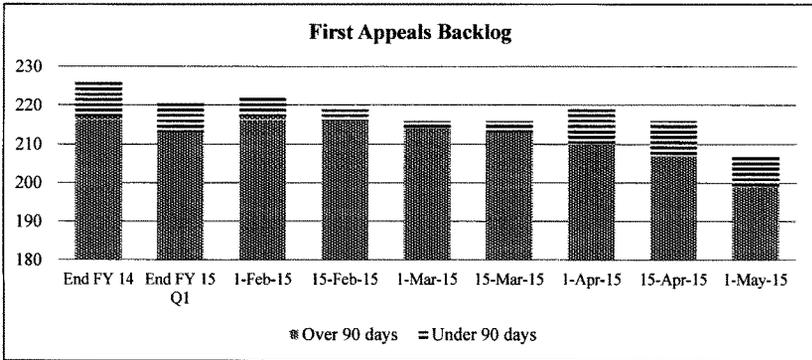


Fig. 6. Appeals Backlog (Source: Region II Appeals Database,-May, 2015)

These four strategies—limit growth, simplify processes, prioritize work, and increase staff—are reducing the backlog. Going forward, FEMA will continue to work with grantee partners to simplify processes and prioritize work, and ensure new disasters do not encounter similar problems. Moreover, FEMA will continue to analyze the need for additional staff resources and adjust accordingly.

**Question 30:**

What timeframe does FEMA predict for clearing the backlog? If no timeframe has been established, what is your best estimation of the time required?

**ANSWER:** Excluding Hurricane Sandy, FEMA Region II’s goal is to process change requests and appeals within 90 days by April, 2016.

**Question 31:**

I understand that FEMA has posted and rescinded the vacancy to fill the Region II Infrastructure Branch Director position permanently, and yet FEMA recently installed the Region’s sixth Acting Interim Infrastructure Branch Director since 2011. I see this as a major contributing

factor to the backlog. When can we expect to have some permanence that will bring continuity of leadership and familiarity with routine issues to the Region?

**ANSWER:** Over the past year, FEMA has faced significant challenges in finding a permanent Public Assistance Branch Chief. FEMA has advertised the vacant position three times but has been unsuccessful in finding a suitable candidate. During the first announcement, FEMA extended a job offer to a selected candidate but was unsuccessful in finishing the hiring process. During the second and third recruitment efforts, FEMA was unable to find a candidate suitable for the position. FEMA places top priority on filling this position and it's the region's number one priority vacancy. The individual selected for the position will serve a key leadership role in a program that is facing significant challenges both with the backlog as well as overseeing multi-billion dollar Public Assistance programs for Hurricane Sandy. It is vitally important that FEMA find a candidate suitable to address these challenges. FEMA has reevaluated its recruiting strategy and made necessary changes to recruit more suitable candidates. The Region II Public Assistance Branch Director opportunity was posted on USAJOBS on May 19, 2015 with a closing date of June 1, 2015.



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March 17, 2015

## Testimony for the House of Representatives Appropriations Subcommittee on Homeland Security on the FY 2016 Appropriations for the Federal Emergency Management Agency Submitted by The Nature Conservancy

Thank you for the opportunity to share The Nature Conservancy's support for the FY 2016 President's Budget for the Department of Homeland Security, specifically the Federal Emergency Management Agency. The Nature Conservancy is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to conserve the lands and waters upon which all life depends.

In the FEMA portion of the Homeland Security FY 2016 budget there is an acknowledgement made that investing in pre-disaster risk mitigation and overall mitigation actions will save federal spending in the long run. We strongly concur with this statement and The Nature Conservancy's work on flood risk reduction supports this conclusion. We believe that an important strategy in reducing flood risk is efforts to conserve and restore so-called natural infrastructure. The Conservancy is implementing projects across the United States to maintain and restore the connectivity of rivers, along with sufficient area of floodplain, and to conserve and restore coastal natural infrastructure such as wetlands, reefs, dunes, and barrier beaches and islands. In addition to flood risk reduction, these projects provide many other benefits that support and protect humans and nature such as filtering pollutants, flood and erosion protection, and production of fish and shellfish. We support the explicit inclusion of resilience funding in the FY 2016 appropriations, in particular, the budget requests of three programs key to effective risk mitigation.

### *Flood Hazard Mapping and Risk Analysis Program*

Flood maps inform risk and drive and inform land use decisions at the community level. Without updated, accurate flood maps enhanced with additional environmental and socioeconomic information, communities cannot make informed decisions to enhance their resilience to flood events. The Nature Conservancy has extensive experience in providing flood and land use data to inform strategies that reduce risk through the development of our [Coastal Resilience Tool](#).

Flood maps are the essential underpinning to drive wise land use including decisions on where not to develop and where to conserve lands that might aid in flood risk reduction. According to the Association of State Floodplain Managers, it will cost \$4.5B-\$7.5B to produce updated flood maps for the nation and annually another \$116M-\$275M to keep the maps updated. The added

funding proposed this year is a step in the right direction to begin to address the deficit of flood mapping resources.

**The Conservancy supports the President's Budget request of \$279M for Flood Hazard Mapping and Risk Analysis Program.**

*Pre-Disaster Mitigation Fund*

Nearly all the federal investments to mitigate disaster risk occur after a disaster. The only program dedicated to funding actions that mitigate risk before a disaster strikes and not tied to a disaster or flood event, is the National Pre-Disaster Mitigation Fund. The Pre-Disaster Fund is used to build capacity to help state and local communities plan for disaster and take actions that reduce risk. For every \$1 spent to mitigate risk, \$4 in savings is generated. This is an important program that was highlighted as a need in the 2014 recommendations of the State, Local and Tribal Leaders Task Force on Climate Preparedness and Resilience.

**The Conservancy supports the President's Budget request of \$200M for the National Pre-Disaster Mitigation Fund.**

*National Flood Insurance Program Mitigation Grants*

Much of the National Flood Insurance Program Mitigation Grant funds are targeted and directed at mitigating losses to structures that incur repeat flooding. There are known strategies, both structural and nonstructural, that are proven to reduce or eliminate flood damage and thus, this funding ultimately saves costs by reducing or eliminating that future risk. The funds pay for flood proofing measures, such as elevating structures, and is used to permanently remove structures from areas of repeat flooding.

**The Conservancy supports the President's Budget request for \$175M for the National Flood Insurance Program Mitigation Grants.**

Overall, The Nature Conservancy lauds FEMA's efforts to seek ways to enhance resilience to natural disasters in communities throughout this nation. This budget reflects a response to state and local demand for accurate data as well as enhanced mitigation efforts. We would like to thank the Subcommittee for this chance to voice our support and your consideration in the appropriations process.

Sincerely,



Sarah W. Murdock  
Director, U.S. Climate Change Adaptation Policy  
The Nature Conservancy

**Statement for the Record**  
**By John Russell, President**  
**U.S. Council of the International Association of Emergency Managers (IAEM-USA)**  
**FY 2016 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**  
**April 28, 2015**

Chairman Carter, Ranking Member Roybal-Allard, and distinguished members of the Subcommittee, I am John Russell, Director of Emergency Management for Huntsville/Madison County Alabama. 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). 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 (EMPG).

Regarding FEMA's FY 2016 budget, IAEM-USA supports the President's request of \$350,000,000 for EMPG and urges \$21,569,000 for the Emergency Management Institute. In addition we support \$200,000,000 for the Pre-Disaster Mitigation Program. Again, this year we have concerns about the resubmitted proposal to consolidate the 16 homeland security grants into the National Preparedness Grant Program.

**Emergency Management Performance Grants (EMPG)**

IAEM-USA respectfully urges that the Subcommittee approve no less than the President's request of \$350,000,000 for EMPG and continue to reject combining it with other accounts or other grants. This budget request once again includes EMPG in the State and Local Programs account and in a PPA called First Responder Assistance with Firefighter Assistance Grants. We support the administrative funds being included in the Salaries and Expense account and not taken as a percentage of the grant funds.

The EMPG should be maintained as a separate all-hazard program focused on capacity building for all-hazards preparedness, response, recovery, and mitigation at the state, local and tribal levels for those entities statutorily charged with such responsibility. All disasters start and end at the local level, which emphasizes the importance of building and sustaining this capacity at the local governmental level – and EMPG funding should not be invested exclusively in any one specific level of government. Funding from EMPG frequently makes a difference as to whether or not a qualified person is present to perform these duties in a local jurisdiction.

EMPG is fundamentally different from the suite of post September 11, 2001 homeland security grants. It has been in existence since the 1950's, requires a 50% state, tribal and local match and has established performance measures. The authorization of EMPG is purposefully broad to allow jurisdictions to focus their attention on customizing capabilities. 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 including those related to homeland security. The program supports state and local government initiatives for planning, training, exercises, public education, as well as response and recovery coordination during actual events. A joint report by IAEM-USA and the National Emergency Management Association on the return on the Nation's investment in EMPG is available on the IAEM website at <http://www.iaem.com/documents/Joint-IAEM-NEMA-EMPG-Report-2015.pdf>

IAEM does not support funding fusion center related costs from EMPG. Fusion Centers are eligible for homeland security grants under the Urban Area Security Initiative and the State Homeland Security Program. These grants require 25% be set aside for law enforcement activities which can be spent on the centers. In addition, fusion centers are eligible to be funded outside the 25% law enforcement set aside via the competitive grant process in most states.

Given that EMPG represents a shared investment made by both the Federal government and participating local, tribal and state jurisdictions, any changes to the program should be considered and implemented in conjunction with representatives of participating jurisdictions. We continue to urge transparency for the process of states awarding EMPG to sub-grantees and believe there should be a publically available list of the EMPG sub-grantees along with the amount of funding passed through to each on an annual basis.

#### **Emergency Management Institute (EMI)**

The Emergency Management Institute (EMI), located in Emmitsburg, Maryland, 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 four years with the funding support of Congress. We respectfully urge the Subcommittee to increase the funding for EMI to \$21,569,000 which is \$1,000,000 over the appropriated amount in FY 2014 and FY 2015. We were pleased that FEMA included a specific line item for EMI in the budget for FY 2016; however we were disappointed that the request was \$19,522,000, which is less than the amount appropriated in FY 2015 and FY 2014. This number should be increasing, not declining.

We are especially pleased with the development of the National Emergency Management Basic Academy, the National Emergency Management Advanced Academy, and the National Emergency Management Executive Academy. These Academies are the new foundation of emergency management training, yet only one seat is available for every three applicants to the Advanced Academy. The additional funding would increase access to the Advanced Academy through field deliveries, allow additional offerings of the highly demanded Master Exercise Practitioner Program and support significant strides in much needed course review and update for key courses, including the popular Integrated Emergency Management course.

#### **Pre-Disaster Mitigation (PDM)**

We support the \$200,000,000 request. A Congressionally mandated independent study by the Multi-Hazard Mitigation 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. By implementing mitigation actions in advance of disasters, we reduce the impacts these events will have on our communities.

### **National Preparedness Grant Program (NPGP)**

For the fourth time, FEMA has proposed consolidating the 16 homeland security grants into the National Preparedness Grant Program (NPGP). Congress rejected the proposal in FY 2013, FY 2014, and FY 2015. We request that any change should not be done through the appropriations process, but through careful consideration by the authorizing committees. The proposal would create a state-centric program with no guarantee that the state would be a better manager of the funding. It is our position that any consolidation proposal should be reviewed with the key stakeholders to make sure that any concerns are addressed and that the proposed grant consolidation would not be detrimental to the level of preparedness already achieved under the 16 homeland security grant programs. We are not aware of any evidence or studies to support that combining the grants would result in greater efficiencies or improved preparedness.

In addition, essential and effective programs that are less politically popular might suffer. One of the best cases illustrating the detrimental effects of a consolidated grant program such as the proposed NPGP is the elimination of the Metropolitan Medical Response System (MMRS) as a stand-alone grant under the Homeland Security Grant Program. No other grant program is required to plan, exercise, train and purchase specialized equipment for medical incident management, especially as a result of a Weapons of Mass Destruction event. We are beginning to see the degradation of medical surge capability that was established in 124 jurisdictions with this funding.

### **Conclusion**

In conclusion, we urge the Subcommittee to continue to build State and local emergency management capacity by funding EMPG at no less than \$350,000,000 and retaining it as a separate account. We urge increasing funding for the EMI by \$1,000,000 over the FY 2015 appropriated level. We support \$200,000,000 for the Pre-Disaster Mitigation Program. We have strong concerns about the proposed National Preparedness Grant Program.

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IAEM-USA is our nation's largest association of emergency management professionals, with over 8,000 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.

**MR. BRYAN KOON**

**President, National Emergency Management Association  
Director, Florida Division of Emergency Management**

**STATEMENT FOR THE RECORD  
Submitted to the House Committee on Appropriations  
Subcommittee on Homeland Security  
U.S. House of Representatives**

***Appropriations for the Department of Homeland Security – Fiscal Year 2016***

**April 22, 2015**

**Introduction**

Thank you for the opportunity to submit this statement for the record regarding the Fiscal Year 2016 budget for the Department of Homeland Security (DHS). As President of the National Emergency Management Association (NEMA) I represent the emergency management directors of all 50 states, territories, and the District of Columbia. Members of NEMA are responsible to the Governors for myriad responsibilities including emergency preparedness, homeland security, mitigation, response, and recovery activities for natural or terrorism-related disasters.

**Emergency Management Performance Grants**

The highest priority for NEMA within the President's request is funding for the Emergency Management Performance Grants (EMPG). EMPG assists state and local governments in managing a variety of disasters and hazards and provides the only source of federal assistance to state and local government for all-hazards emergency management capacity building. Grantees utilize EMPG funds for personnel, planning, training, exercises, warning systems, public outreach, and other essential functions in establishing effective preparedness, mitigation, response, and recovery. This program is of considerable economic value to the federal government as all federal funds are matched 50-50 by state and local governments. Such a matching requirement increases accountability and supplements the impact of valuable federal dollars.

This year, NEMA fully supports the President's requested funding level and House Appropriations Committee recommendation of \$350 million for EMPG. We appreciate that we are currently in a resource-constrained environment, but when compared to other grant programs, the 50-50 match allows EMPG to stand alone as a worthwhile investment of federal funds. This 50-50 match actually yields a \$700 million dollar investment in national preparedness from the federal, state, and local contributions. In many ways, EMPG offers a cost-savings by allowing states to manage disasters that would otherwise need to be addressed by the federal government.

NEMA has continued its efforts to measure the effectiveness of EMPG. For the past five years, NEMA has released *Emergency Management Performance Grants: Providing Returns on a Nation's Investment*. The report measures the effectiveness of the grants and ties individual state and local efforts into the far larger picture of overall preparedness by demonstrating how a truly national emergency management system is developed and supported.

### **Homeland Security Grant Program**

Since the inception of the State Homeland Security Grant Program (SHSGP), NEMA has maintained support of these grants as critical resources to help state and local governments build and sustain capabilities to address the various threats and hazards they face. NEMA agrees with the administration that the time has come, however, to consider a better way forward in light of continuing budget cuts to these important programs. During the fiscal year 2012 budget discussions, the NEMA leadership decided to consider a new approach to the full suite of grants within the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS). NEMA subsequently developed the *Proposal for a Comprehensive Preparedness Grants Structure*, which was previously submitted to your Committee for review.

NEMA was pleased to see that the Administration also contributed to the dialogue of grant reform through the fiscal year 2016 budget proposal. While we were encouraged to see the Administration's vision reflect many of our recommendations, NEMA strongly believes a continued dialogue with all stakeholders is necessary to ensure every voice is heard and every consideration given for the most effective approach to grants reform.

Overall, the overarching principles and values remain at the heart of any grant reform. Few seem to disagree with the tenets of supporting PPD-8; building a culture of collaboration; the ability to be agile and adaptive to confront changing hazards; building and sustaining capabilities; encouraging innovation; providing full visibility to all stakeholders; and recognizing the interdependencies of our national systems. The importance of these principles and values highlight a critical point in any retrospective on homeland security grants. Regardless of our country's fiscal situation, physical security and economic security are not mutually exclusive and can be achieved with a more streamlined grant structure. Working with you and our stakeholder partners, we remain confident a prudent approach forward can be found.

### **Emergency Management Assistance Compact**

We appreciate your continued support for the Emergency Management Assistance Compact (EMAC). NEMA continues to support a budget line item for EMAC for \$2 million so that the program may continue providing critical mutual aid resources across the country. EMAC has long provided significant capabilities. For example, over 67,000 personnel from a variety of disciplines deployed through EMAC to the Gulf Coast in response to Hurricanes Katrina and Rita and 12,279 personnel to Texas and Louisiana during Hurricanes Gustav and Ike. In 2011, 953 personnel were deployed in response to the pipeline spill, floods, and tornados in Montana, Missouri, North Dakota, Nebraska, South Dakota, Mississippi, Alabama, and Tennessee. Also in 2011, 1,130 personnel were deployed to New York, Vermont, Connecticut, Delaware, Maryland, Massachusetts, New Jersey and Virginia in response to Hurricane Irene and Tropical Storm Lee. During Hurricane Sandy, 35 states sent over 2,600 personnel to assist with the response and recovery efforts through EMAC. In the historic 2014 winter storms faced throughout New England, 165 personnel were deployed through EMAC to Connecticut and Massachusetts with snow clearing equipment and operators to help those states reopen businesses and allow citizens to return to work. EMAC was also recently used in the response for the manhunt in Pennsylvania, severe weather in Mississippi, wildfires in Washington, and tropical storms in Hawaii.

### **Emergency Management and Homeland Security Training and Education**

Training and education opportunities stand as one of the most effective ways to ensure the continued professionalization of emergency management and homeland security personnel as well as to increase their abilities to best protect our nation and communities. The two federal government programs best representing these efforts are the Emergency Management Institute (EMI) and the Naval Postgraduate

School's Center for Homeland Defense and Security (CHDS). Not only do these two institutions provide the "gold standards" within their respective professional education realms, they also provide leadership and share resources to support a collaborative effort among training and education efforts throughout the country.

EMI directly supports the professional core competencies of emergency managers at the federal, state, local, tribal, public and private sectors. The Institute trains more than 2 million students annually with residential on-site programs, off-site programs in partnership with state and local emergency managers, and computer based e-learning. EMI has recently partnered with NEMA and the International Association of Emergency Managers to develop the National Emergency Management Academy. The Academy consists of five courses and provides a structured and progressive approach to acquire skills, knowledge, and abilities to meet career challenges in emergency management

CHDS Programs include a fully accredited Master's Degree program; executive education seminars for governors, locally elected officials, and their senior department leaders; an Executive Leaders Program; a Fusion Center Leaders Program; a peer reviewed online academic journal; a university and agency partnership effort; and the world's largest online homeland security library. These endeavors by CHDS significantly advance the strategic and critical thinking abilities of emergency management and homeland security personnel in their daily responsibilities, policy deliberations, and relationships with senior leadership within their jurisdictions.

NEMA supports full funding for EMI and the inclusion of language in the fiscal year 2016 Appropriations bill supporting the full funding of the Center for Homeland Defense and Security (CHDS) by the Federal Emergency Management Agency (FEMA).

### **Conclusion**

Again, I appreciate the opportunity to address these issues critical to the emergency management community. This Committee regularly affirms support for ensuring preparedness for our nation's vulnerabilities against all-hazards. As you develop the Fiscal Year 2016 budget for the Department of Homeland Security, we encourage you to utilize our membership as a resource and continue efforts to build a strong and robust emergency management baseline in our country. Together, we will carry on the initiatives so thoughtfully developed by this Committee over the years. I thank you for the opportunity to testify on behalf of NEMA and appreciate your continued partnership.

## Outside Witness Testimony

House Appropriations Committee  
Subcommittee on Homeland Security  
April 28, 2015

Comments on the Fiscal Year 2016 Budget Request for the Federal Emergency  
Management Agency

Submitted by:  
Association of State Floodplain Managers  
Chad Berginnis, Executive Director

The Association of State Floodplain Managers appreciates this opportunity to comment on aspects of the Fiscal Year 2015 FEMA Budget Request. We wish to express the strong support of our members for the request of \$278.6 million for RiskMAP, \$200 million for Pre-Disaster Mitigation and \$150 million for Flood Mitigation Assistance.

The Association of State Floodplain Managers and its 36 State Chapters represent more than 16,000 state and local officials and other professionals who are engaged in all aspects of floodplain management and hazard mitigation, including implementation of aspects of the National Flood Insurance Program, mapping, engineering, planning, permitting, hydrology, forecasting and management of floodplain areas. All ASFPM members are concerned with reducing loss of life and property due to flooding. Our website is: [www.floods.org](http://www.floods.org).

ASFPM members wish to thank the Subcommittee for its prior support of mitigation/risk reduction and of risk identification. Disaster related costs to the nation continue to rise. Flooding is the most frequent and most predictably costly type of natural disaster that can affect every part of the country. To reduce the losses and associated costs, hazard mitigation is key. Risk identification (mapping) is essential to guide and direct hazard mitigation activities.

For FY '16, ASFPM is extremely pleased that the Administration has focused substantial budget increases on identification of areas at risk of flooding through RiskMAP and on reducing those risks through Pre-Disaster Mitigation (PDM) and Flood Mitigation Assistance (FMA). This indicates to us that the Administration is serious about curtailing the ballooning disaster costs and saving lives and property.

The FY '16 request for the Pre-Disaster Mitigation program (PDM) will support revitalization of a program which has been woefully underfunded in recent years. Despite earlier efforts to eliminate the program, this Subcommittee has understood the importance of reducing the vulnerability of flood-prone properties before a disaster occurs – saving the federal taxpayer an estimated \$4 for every \$1 invested

in mitigation – as well as saving lives and valuable property. ASFPM members have gratefully appreciated the Subcommittee’s repeated inclusion of funds to keep the program functioning.

Even with dramatically reduced funding in recent years, PDM has had a positive impact on mitigation capacity and reduced losses through its focus on two activities: all hazard mitigation planning and hazard mitigation projects. In the absence of mitigation funds made available after a disaster (Hazard Mitigation Grant Program), this program provides the major support for mitigation planning and for maintenance of the capacity to support mitigation activities. Without PDM, many states’ capacity would be dramatically diminished as well as support for local mitigation planning.

PDM is the primary funding source for hazard mitigation projects for states without a current disaster declaration. Demand has historically been high for PDM – the program usually takes in applications that exceed three times available funding. Reform of the National Flood Insurance Program is driving interest in risk reduction actions and the increasing need for PDM resources. Both the reform acts in 2012 and 2014 result in flood insurance premium increasing toward full risk rates, which has driven and will drive an unprecedented interest in flood mitigation options to lower those premiums and risk. This is an appropriate reaction to better information about the true risk. However, the availability of PDM funds is key to taking advantage of this interest in mitigation, particularly in areas where there is not a declared disaster which would make Hazard Mitigation Grant Program funds available.

Floodplain mapping provides not only the regulatory tool necessary for implementation of the National Flood Insurance Program, but also identifies areas of risk to guide mitigation activities as well as community and economic development decisions.

FEMA’s mapping program, RiskMAP, is funded both by appropriated funds and by fees paid by flood insurance policyholders. This dual source of funding is appropriate since the benefits of risk identification accrue to the NFIP and its policyholders as well as to all taxpayers. The nation has invested \$4.3 billion in digitizing most old paper maps and in updating a portion of the maps through new engineering studies since the effort to modernize flood maps was initiated. Much of that engineering study work remains to be done; many less populated areas of the country have no maps at all and many areas still have outdated maps that do not reflect current conditions.

In response to questions about the mapping needs, ASFPM produced a report entitled “Flood Mapping for the Nation” using the \$400 million per year and additional mapping tasks authorized in the Biggert-Waters legislation as a guide. That report identified criteria as to what constitutes adequate flood mapping and estimated the cost to achieve that to be a further investment of from \$4.5 billion to \$7.5 billion. A subsequent steady-

state cost to then maintain accurate and up-to-date flood maps ranges from \$116 million to \$275 million annually.

Against this backdrop, it is evident that at recent funding levels, it would take a long time to achieve adequate flood mapping for the nation. As this subcommittee is aware, the appropriations for mapping have decreased significantly from a high point of \$220 million in FY '10 to \$95 million in FY '14. We are well aware and very appreciative that this Subcommittee has recognized the importance of accurate risk identification and has found a way to appropriate funds above the recent very low budget requests.

We are very pleased that the Administration has requested \$278.6 million for FY '16. This investment in flood risk mapping will help to produce more accurate and up-to-date maps. It will drive down costs and suffering due to flooding and will provide the best tool for managing flood risk and building sustainable communities.

Flood Mitigation Assistance (FMA) is funded by flood insurance policy holders through the National Flood Insurance Fund (NFIF). FMA funds a variety of methods of flood mitigation and a significant component of its funding is directed to mitigation of Severe Repetitive Loss properties. These properties, which make numerous flood insurance claims, sometimes even cumulatively exceeding the value of the property, constitute a significant unnecessary drain on the NFIF. FMA was funded at \$120 million in FY '15 and we are very pleased to see that the budget request for FY '15 is \$150 million. We urge the Subcommittee to approve this request. Much of this money will be wisely spent to very clearly reduce claims on the NFIF. It is also an important source of grant funds for those seeking to reduce their flood insurance premiums by mitigating their risk.

Because of interest expressed via language in recent appropriations bills, ASFPM would offer some observations about the proposed Federal Flood Risk Management Standard (FFRMS).

The President issued Executive Order 13690 on January 30, 2015 along with accompanying guidance. The new EO amends the existing EO 11988 (issued in 1977) on floodplain management, but does not change the activities to which the original EO applies. Guidance has been published in the Federal Register and is now out for public comment. In response to requests for a longer time to comment, the period was extended by 30 days and FEMA has engaged in an energetic series of Listening Sessions around the country and by webinar to engage public opinion and recommendations. The FFRMS cannot be implemented until comments have been received, studied and final guidance issued. Even at that point, each affected federal agency will need to take its own steps to alter rules and procedures, which will afford another opportunity for public input – this time at the more specific level of particular agency programs.

The changing nature of flood risk, including increased risks due to sea level rise, demands competent standards that will withstand the test of time and the forces of nature. We think the new EO and the FFRMS represent an important step in that direction. In fact, some states have already adopted statewide standards that meet or exceed the new proposed federal standard and many, many communities and counties have done so. In these instances, the local ordinances reflect the requirements. The new FFRMS would not have any effect on local ordinances and would only apply where federal funds are involved. This would only apply to new construction or substantial repair or improvement involving federal dollars. In some instances, federally funded facilities have been built at levels below the local ordinance, so in effect, this FFRMS would ensure that the federal investments respect local ordinances and state requirements.

Thank you very much for the opportunity to make these recommendations about FEMA's budget for FY '16 and to offer additional comments. If you have any questions, please contact ASFP Executive Director, Chad Berginnis, at (608) 828-3000 or [cberginnis@floods.org](mailto:cberginnis@floods.org).

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