



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

THE DIRECTOR

July 9, 2018

The Honorable Richard Shelby
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chairman Shelby:

On June 21, 2018, the Appropriations Committee considered the fiscal year (FY) 2019 Homeland Security Appropriations bill. Overall, according to information provided in the Committee press release, the bill appears to increase funding by about \$1.1 billion, or over 2.3 percent above the FY 2019 Budget request, including unrequested Overseas Contingency Operations funding. The Administration appreciates the opportunity to weigh in on this bill.

The Administration appreciates that the Committee bill includes funding for critical priorities, including:

- **Border Wall.** The bill provides \$1.6 billion for approximately 65 miles of wall in the Rio Grande Valley, a sector in need of investment to stem the tide of illegal crossings. As the appropriations process moves forward, the Administration will work with the Committee and the Congress to ensure that additional resources are added for the wall, addressing the urgent need to secure the southern border and enhance the U.S. Customs and Border Protection's operating posture. Given that the Congress is increasing overall non-Defense discretionary funding above the 2019 Budget request, the Administration believes that this should be among the highest priorities within those non-Defense levels under the Bipartisan Budget Act of 2018.
- **Customs and Border Protection Officers (CBPOs).** The bill provides an additional \$49 million above the FY 2019 Budget request to add 375 CBPOs at the ports of entry to address wait times and the flow of illicit drugs, and funds the request for an additional \$27 million to expand the National Targeting Center, including 60 new CBPOs.
- **Heavy Polar Icebreaker.** The bill provides \$750 million, as requested in the FY 2019 Budget, for construction of a new Heavy Polar Icebreaker for the U.S. Coast Guard, beginning critical recapitalization of the Nation's icebreaking capability.

However, the bill underfunds key investments in critical areas supported in the FY 2019 Budget request and/or includes funding that the Administration believes is not in line with the overall restraint in non-Defense spending reflected in the FY 2019 Budget request, including:

- **Federal Emergency Management Agency (FEMA) Grants.** The bill provides \$2.8 billion, \$350 million more than the FY 2019 Budget request for FEMA grant

programs. While the Administration appreciates the Committee's intent, FEMA is unable to measure the effectiveness of many of these grant programs. In addition, the Regional Catastrophic Preparedness Grant Program is duplicative of existing grant programs, and the Rehabilitation of High Hazard Potential Dams Grant Program supplants the responsibilities of dam owners to repair their dams.

- Border Patrol Agents. The bill does not provide funding for the requested 750 additional Border Patrol Agents, instead funding an additional 375 agents plus an additional 375 CBPOs. The Administration continues to assert that the Department of Homeland Security (DHS) requires additional Border Patrol Agents to prevent illegal immigration into the United States, as described in E.O. 13767.
- Immigration and Customs Enforcement (ICE). The bill does not provide funding for the FY 2019 Budget request level of 52,000 ICE detention beds. Rather, the bill provides funding to maintain only the FY 2018 enacted level—approximately 11,000 fewer beds than requested. In addition, the Administration continues to urge the Congress to increase the number of ICE law enforcement officers, as described in E.O. 13768. The bill does not provide funding to meet the FY 2019 Budget request of 2,000 additional law enforcement officers. The bill also fails to address priorities included in the FY 2019 Budget request for transportation and removal of aliens, providing only \$367 million for transportation and removal, \$144 million below the FY 2019 Budget request. ICE was created after the September 11, 2001, attacks as part of the Government's commitment to fight terrorism and ensure public safety. These requested resources will provide vital support to ICE as it endeavors to fulfill this mission, and will also help with handling the surge in illegal border crossings.

Similar to prior years, the bill includes an objectionable provision, section 532, which would require DHS to provide specific discretionary offsets in amounts equal to revenues from proposed user fees assumed in the FY 2020 Budget request, if those proposals are not enacted prior to the start of FY 2019. In addition, the bill does not include proposed provisions regarding sanctuary cities or prohibiting the use of appropriated funds to pay for abortions or the facilitation thereof.

As the Senate takes up the Homeland Security Appropriations bill, the Administration looks forward to working with you to address these concerns.

Sincerely,



Mick Mulvaney
Director

cc: The Honorable Shelley Moore Capito
The Honorable Jon Tester

Identical Letter Sent to the Honorable Patrick Leahy