



Homeland
Security

March 19, 2023

The Honorable Rosa L. DeLauro
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Ranking Member DeLauro:

Thank you for your January 19, 2023, letter to the Department of Homeland Security (DHS). Secretary Mayorkas asked that I respond on his behalf.

On March 9, President Biden released his Budget for DHS that equips our Department to address the threats of today and prepare for the threats of tomorrow. The President's budget invests in programs that protect us against the threat of terrorism, strengthen the security of our borders, ensures the swift response to and recovery from natural disasters, and more.

As requested, DHS conducted an analysis of what capping FY 2024 discretionary spending at the FY 2022 enacted level would mean to the services the Department provides to the American people.

The entire Department and the critical services we provide would be impacted, including but not limited to the following:

- A reduction in CBP frontline law enforcement staffing levels of up to 2,400 agents and officers;
- A reduction in our Department's ability to prevent drugs from entering the country;
- Cuts in federal assistance to state, local, tribal, territorial, and private sector partners for disaster preparedness; and
- Reductions in TSA personnel that would result in wait times in excess of 2 hours at large airports across the country.

The analysis in the enclosure provides additional details on just some of the significant impacts that may occur.

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I appreciate your continued support for DHS. Should you wish to discuss this matter further, please do not hesitate to contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in black ink, appearing to read 'Z. Buetow', with a stylized flourish at the end.

Zephranie Buetow
Assistant Secretary for Legislative Affairs

Enclosure

Operational Impacts of Returning to FY 2022 Funding Levels Department of Homeland Security

U.S. Customs and Border Protection (CBP)

- **Sea and Land Ports of Entry:** CBP's Office of Field Operations (OFO) may need to reduce hours of service at all sea and land ports of entry (220 ports in total) and would deny landing rights at all 241 airports outside of core hours of operation based on personnel availability. With reduced hours, wait times would increase and some land ports of entry may close with commercial and private traffic still in queues, which would result in exacerbated supply chain issues potentially impacting food stuffs and American manufacturing.
- **Staffing:** CBP may be forced to implement a hiring freeze, which would impact the agency's ability to hire the additional 300 Border Patrol Agents (BPAs) provided for in the FY 2023 budget and the 150 CBP Officers (CBPOs) and BPAs requested in the FY 2024 Budget. A hiring freeze would also result in attrition of frontline law enforcement officers by perhaps as much as 1,000 CBPOs and 1,400 BPAs.
- **Fentanyl Impacts:**
 - Any impacts on CBPO staffing levels, described above, would negatively impact fentanyl seizures as well as other narcotics seizures.
 - Impacts could also affect the operations at ports of entry for lawful travel and goods presented for admission to the United States. Approximately 90% of resources at ports of entry go through these regular operations, which impact the special operations teams responsible for targeting, enforcement, and analysis. Reductions to these special operations teams will result in a reduction in targeting opioids for both inbound and outbound operations.
 - With limited resources, OFO would only be able to perform enhanced inspections upon primary or threshold level targets. Reducing or eliminating outbound operations will result in more money not being interdicted leaving the U.S. and enable more trafficking and deeper concealments, likely increasing the amount of fentanyl entering the country.
- **Air and Marine Operations:** CBP's Office of Air and Marine Operations would experience a 56% reduction in operational capabilities equating to 45,833 unexecuted aircraft hours and 11,448 boat hours. A reduction of this magnitude would result in a reduction in our operations equivalent to the following:
 - 154,657 lbs. of cocaine not seized
 - 859 lbs. of fentanyl and 1,948 lbs. of heroin not seized
 - 17,148 lbs. of methamphetamine not seized
 - \$9M in currency not seized
 - 561 criminals not arrested, and 57,594 apprehensions not made
 - 361 people not rescued
- **Trade:** CBP enforces trade laws and implements measures such as penalties, suspensions, and debarment while enforcing anti-dumping and countervailing duties as well as forced labor laws. Decreasing the capacity of the Office of Trade would result in unprecedented gaps in defending America's economic security, resulting in revenue loss to the U.S. government and economy. Additional impacts include degradation of trade enforcement operations resulting in increased violations of Intellectual Property Rights (IPR) such as the production of counterfeit goods, duty evasion through

transshipment, misclassification, country of origin claims, and use of forced labor in the production of goods in U.S. supply chains.

- **Agriculture:** Due to decreased inspectional staff and capacity, these cuts would result in increased risk of introductions of foreign animal disease, including African Swine Fever, and plant pests due to significant increases in cargo and passenger wait times.

Cybersecurity and Infrastructure Security Agency (CISA)

- **Cyber Resiliency:** Budget cuts would stifle CISA's early efforts to support cyber resiliency across state, local, tribal, and territorial governments. This critical support ensures resource-poor jurisdictions (or their management service providers) are cognizant of threats and prepared to face them, and are hardening the defenses of the national critical functions under their stewardship (e.g., water supply, wastewater treatment, and emergency communications). Specifically, cyber resiliency provides support to stakeholders and mission partners in their efforts to predict, adapt, and dynamically recover from threats in high-risk areas who are significantly underserved with current resources. Without this funding, CISA will not be able to:
 - Design targeted assessments for highlighting cybersecurity threats and vulnerabilities to emergency communications systems nor identify mitigating actions;
 - Identify requirements, develop, and deliver curriculum that improves cybersecurity and interoperability in the face of evolving IP-hosted communications technology used during responses of varying size/complexity;
 - Design specific assessments for urban areas to evaluate and enhance cybersecurity; nor,
 - Expand Emergency Communications Coordinators' support to stakeholders via CISA's regional service delivery model.
- In addition, the reduction of funding would eliminate the Supply Chain Risk Management (SCRM)/Federal Acquisition Security Council (FASC) program. This would impact CISA's execution of DHS's responsibility as the FASC's Information Sharing Agency (ISA) and would terminate support on the development of a doctrine required to respond to Federal Government-wide supply chain risks and planning coordination.
- **Cyber Protection:** CISA would not have the resources to implement requirements of the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (CIRCIA). CIRCIA requires CISA to develop and implement regulations requiring covered entities to report cyber incidents and ransomware payments to CISA. These reports enable CISA to rapidly deploy resources and render assistance to victims suffering attacks, analyze cross-sector trends, and quickly share information with network defenders to warn other potential victims. Implementation of this new congressional mandate will result in an exponential increase in the number of incident reports coming from critical infrastructure. If funding is held at FY 2022 levels, CISA would not have any dedicated funding to respond to this new requirement and therefore would be unable to collect and rapidly share information with critical infrastructure owners and operators.
- **Cyber Incident Response:** CISA's Operations Center would lose the ability to ingest, triage, collate, record, and visualize information from over 50,000 cyber incidents over a one-year period. CISA would be unable to provide critical infrastructure owners and operators with analyzed reports, statistics, or trends, leading to a significant decrease in their ability to proactively avoid known and emerging threats and vulnerabilities to the nation's critical infrastructure.

- **State and Local Impacts:** Budget cuts would lead to a 13% reduction in CISA's regional field forces. The regional workforce is a critical component of CISA's service delivery model. With reduced funding, CISA would have to reduce assistance provided in response to ransomware and other cyberattacks. It would also have to reduce security assessments and chemical inspections, thereby impacting businesses, healthcare providers, K-12 institutions, state and local governments, municipalities, and critical infrastructure entities. In addition, CISA would have to reduce the number of engagements and support of pre-election security assessments of polling places in communities nationwide. This would result in limiting interactions with local election officials where CISA helps to assure the security of election offices, polling places, and election infrastructure. The number of impacted jurisdictions would vary by state, as some states have tens of election jurisdictions, and some states have more than a thousand.

Federal Emergency Management Agency (FEMA)

- FEMA grant assistance to support and help state, local, tribal, and territorial governments (SLTT) and the private sector could be reduced by half. This would negatively impact SLTT capabilities to implement preparedness strategies successfully and reduce or eliminate long-term risks to people and property from hazards and their effects.

Transportation Security Administration (TSA)

- **Passenger Security Wait Times and Aviation Security:**
 - In FY 2024, passenger volume is anticipated to increase by 9.2% over FY 2022 levels. Fewer Transportation Security Officers would increase passenger wait times from 10 minutes in FY 2023 to upwards of 30 minutes in FY 2024. At larger airports, passengers would experience wait times in excess of two hours where a steady influx of passengers makes it impossible to recover without the necessary staffing. These high wait times would also result in large crowds of unscreened people in the checkpoint queues, increasing potential soft targets.
 - Transportation security equipment maintenance would have to be reduced, impacting equipment reliability and increasing passenger wait times while resulting in costly actions to modify contracts.
 - Furloughed positions would impact transportation security now and in the future as TSA would see fewer staff at checkpoints. Additionally, TSA would have a greater gap between experienced staff and staff with minimal experience.

U.S. Secret Service (USSS)

- **Cyber Fraud Task Forces:** Secret Service would eliminate or severely reduce the capacity of the 42 Cyber Fraud Task Forces across the country that partner with private industry, state, local, tribal, and territorial law enforcement agencies and federal and state prosecutors to prevent, detect, and mitigate complex cyber-enabled financial crimes.
- **Cyber Forensics Training:** Secret Service would shut down the National Computer Forensics Institute (NCFI) and eliminate training for state, local, tribal, and territorial law enforcement, prosecutors, and judges used to combat cyber threats. NCFI graduates conduct cyber forensic exams across the USSS, completing over 150,000 exams in FY 2022 that were for cases involving murder, rape, and child exploitation.

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- **COVID-19 Fraud:** Cuts would reduce the ability of Secret Service to combat COVID-19 related crime by over 50%. USSS is currently focused on four broad areas of COVID-19 related crime and to date has arrested over 500 criminals, recovered \$1B and responded to over 5,000 investigations and inquiries.

U.S. Coast Guard (USCG)

- The United States Coast Guard would immediately cease the advancement of acquisitions, procurement, and construction resulting in a reduction to operational readiness along the maritime borders. Specifically, the inability to progress the Coast Guard's two highest acquisition priorities, the Offshore Patrol Cutter and the Polar Security Cutter, would create an operational gap and further delay of the U.S. presence in the polar regions and reduce the ability detect, deter, prevent, and disrupt terrorist attacks and other criminal acts in the U.S. maritime domain as well as our National Defense Strategy.