

**Omnibus Appropriations for Fiscal Year (FY) 2018:  
Department of Homeland Security (DHS)**

President Trump [signed](#) the omnibus Consolidated Appropriations Act of 2018 ([H.R. 1625](#)), which [passed](#) Congress with bipartisan support, on March 23, 2018. This document provides an overview of the Department of Homeland Security's (DHS) appropriations for its immigration-related responsibilities and compares the amounts to those appropriated for FY 2017.

**Department of Homeland Security (DHS)**

**FY 2018 Enacted Spending Authority for DHS: \$55.6 billion** [FY 2017 Omnibus Enacted Spending Authority: \$49.3 billion; 13 percent increase].

- **FY 2018 Omnibus Enacted Discretionary Funding for DHS: \$47.7 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$42.4 billion; 11 percent increase].

**Customs and Border Protection (CBP)**

**FY 2018 Omnibus Enacted Spending Authority: \$16.357 billion** [FY 2017 Omnibus Enacted Spending Authority: \$14.281 billion; 15 percent increase]. The enacted spending authority for FY 2018 includes \$2.3 billion in anticipated fees and fines.

- **FY 2018 Omnibus Enacted Discretionary Funding: \$14.017 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$12.186 billion; 15 percent increase].

**Border Security Operations: \$4.4 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$4.3 billion; 1 percent increase]. This item funds most of CBP's operations along the southern, northern and certain coastal borders between ports of entry (POEs).

- **U.S. Border Patrol: \$4.332 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$4.286 billion; 1 percent increase]. This item funds the operations of the Border Patrol, which in FY 2017 consisted of approximately 19,437 agents, as well as its assets and support items. The Border Patrol is mandated by Congress to maintain an active duty presence of 21,370 agents but did not meet that staffing goal in FY 2017 due to recruiting and hiring difficulties.
  - This item does not provide funding for additional Border Patrol agents. The bill estimates that the Border Patrol will lose more agents than will be gained in FY 2018, resulting in reduced payroll costs.
- **Office of Training and Development: \$64 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$54 million; 19 percent increase]. The Office of Training and Development (OTD) establishes standards and policies for designing, delivering and evaluating training at CBP. This item funds OTD operations for the Border Patrol.

**Trade and Travel Operations: \$4.314 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$4.185 billion; 3 percent increase]. This item funds most of CBP's operations at U.S. ports of entry (POEs) related to border security, as well as expediting trade and travel.

- **Office of Field Operations (OFO): \$4.031 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$3.942 billion; 2 percent increase]. This item funds operations at all 328 POEs in the U.S. and approximately 22,810 OFO officers, as well as agriculture specialists, working in the agency today.
  - The bill provides funding for an additional 328 CBP officers at ports of entry, bringing OFO closer to addressing its staffing shortage of at least 2,107 additional CBP Officers stipulated by CBP's FY 2017 Workload Staff Model.
  - The bill prohibits the DHS Secretary from establishing, collecting or otherwise imposing any new border-crossing fee on individuals crossing the southern or northern border at a land port of entry.

**Procurement, Construction, and Improvements: \$2.281 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$771 million; 196 percent increase].

- **Border Security Assets and Infrastructure: \$1.742 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$533 million; 227 percent increase]. This item provides funding for assets and infrastructure for border security responsibilities between POEs.
  - **Border Fence Construction and Border Technology: \$1.571 billion** [FY 2017 Omnibus Enacted Discretionary Funding: New Funding Item]. This item funds the construction of 47 miles of new barriers and 48 miles of replacement barriers along the U.S.-Mexico border. This includes \$251 million for the construction of 14 miles of secondary fencing in the San Diego Sector, \$445 million for 25 miles of primary pedestrian levee fencing along the Rio Grande Valley Sector, \$445 million for replacement of existing primary pedestrian fencing along the southwest border, and \$38 million for border barrier planning and design. In addition, the funding item includes \$196 million for the acquisition and deployment of border security technology.
  - With the exception of the San Diego Sector, the funds appropriated in this item to construct physical barriers along the U.S.-Mexico border must use "operationally effective designs," such as see-through steel bollard designs.
  - None of the funds provided in the bill can be used to construct a border barrier in the Santa Ana National Wildlife Refuge.
- **Trade and Travel Assets and Infrastructure: \$263 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$71 million; 270 percent increase]. This item supports assets and infrastructure for CBP OFO.
- **Construction and Facility Improvements: \$60 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$21 million; 186 percent increase]. This item provides funding for the construction and improvements of CBP facilities, including Border Patrol Stations and ports of entry along the northern and southern borders.

**Mission Support: \$1.709 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$1.618 billion; 6 percent increase].

- **Office of Professional Responsibility: \$182 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$176 million; 3 percent increase]. The Office of Professional Responsibility (OPR) maintains oversight over all aspects promoting integrity and security at CBP, including conducting polygraph examinations for law enforcement applicants and investigating officer misconduct.
- **Body-Worn Cameras: \$0** [FY 2017 Omnibus Enacted Discretionary Funding: \$0 (no change)]. The bill does not include funding to support the incorporation of body-worn camera technology in CBP law enforcement operations.

**Integrated Operations: \$1.066 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$1.032 billion; 3 percent increase]. This item includes funding for multiple CBP mission programs, including Air and Marine Operations.

- **Air and Marine Operations: \$864 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$838 million; 3 percent increase]. This item funds Air and Marine Operations' 1,800 federal agents and missions support personnel, 240 aircraft and 300 marine vessels tasked with interdicting unlawful cargo and people without documentation in the air and maritime environments.

### **Immigration and Customs Enforcement (ICE)**

**FY 2018 Omnibus Enacted Spending Authority: \$7.452 billion** [FY 2017 Omnibus Enacted Spending Authority: \$6.796 billion; 10 percent increase]. The enacted spending authority for FY 2018 includes \$376 million in anticipated fees.

**Enforcement and Removal Operations (ERO): \$4.110 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$3.709 billion; 11 percent increase]. ERO carries out the apprehension, detention, and removal of deportable individuals from the U.S. This item provides funds to place more people in immigration detention facilities or in Alternatives to Detention (ATDs), thereby increasing the overall number of people in custody.

- **Custody Operations: \$3.076 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$2.705 billion; 14 percent increase]. Custody operations manages ICE detention operations and removal programs.
  - The bill provides funding to maintain 40,520 immigration detention beds, an increase of 1,196 beds (3 percent) over FY 2017.
  - ICE exceeded its annualized rate of funding for Custody Operations between October 1, 2017 and the date of the enactment of this bill. As a result, the bill directs ICE to manage its resources in a way that ensures it will not exceed the annualized rate of funding for FY 2018.
  - The bill permits the DHS Secretary to reprogram and transfer up to 5 percent of any DHS appropriations made available for FY 2018 to the U.S. Immigration and Customs Enforcement - Operations and Support funding item “as necessary to ensure the detention of aliens prioritized for removal” without regard to the June

30, 2018 notification deadline. However, as required for all DHS appropriations, reprogrammed or transferred funds may not increase the receptive appropriation by more than 10 percent and DHS must notify the Senate and House of Representatives Committees on Appropriations at least 30 days in advance of such a transfer.

- ICE is directed to comply with requirements related to detention facility inspections, death-in-custody reporting, access to facilities, detainee locator information and compliance with the 2011 Performance Based National Detention Standards (PBNDS 2011) and Prison Rape Elimination Act. ICE must also ensure “that aliens are treated fairly while moving through the immigration adjudication process” and must provide quarterly briefings to the House of Representatives and Senate Appropriations Committees.
- The bill prohibits DHS from using funds to continue any detention facility contract if the two most recent overall performance evaluations received by the facility are less than “adequate” or the equivalent median score.
- **Fugitive Operations: \$159 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$152 million; 5 percent increase]. The National Fugitive Operations Program (NFOP) supports the identification, location and arrest of undocumented immigrants in the U.S.
  - This funding item includes \$10 million to investigate and support activities required to “identify and remove aliens who have overstayed their visas” and requires ICE to brief the Appropriations Committees annually on the results of these efforts.
  - The bill directs the Fugitive Operations Program to continue to prioritize the apprehension and removal of criminal aliens and individuals who pose a risk to national security or public safety.
- **Criminal Alien Program: \$319 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$312 million; 2 percent increase]. The Criminal Alien Program (CAP) supports the biometric and biographic identification, arrest, and removal of undocumented immigrants who are held in federal, state and local prisons and jails, as well as other undocumented immigrants in the country.
  - The bill requires ICE to notify the Appropriations Committees prior to implementing any significant changes to the 287(g) program, including any changes to training requirements, data collection and selection criteria, and directs the Office of Civil Rights and Civil Liberties (OCRCL) and Office of Inspector General (OIG) to continue to provide oversight of the program.
  - The bill directs CAP to continue to prioritize the apprehension and removal of criminal aliens and individuals who pose a risk to national security or public safety.
- **Alternatives to Detention: \$187 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$183 million; 2 percent increase]. The Alternatives to Detention (ATD) program generally places individuals under various forms of non-detained, intensive supervision through a combination of home visits, office visits, alert response, court tracking and/or

technology, which may include electronic monitoring.

- This increase in funding for Alternatives to Detention (ATD) supports a projected daily average of 79,000 participants in the program for FY 2018, an increase of 14 percent from FY 2017 (69,466 participants).
- The bill directs ICE to prioritize the use of ATD and release on parole or bond for individuals and families who receive positive credible fear determinations and do not represent a public safety or flight risk.
- **Transportation and Removal Program: \$369 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$356 million; 4 percent increase]. This program provides for secure transportation of individuals in ICE custody between facilities and during removal.

**Homeland Security Investigations (HSI): \$2.152 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$2.073 billion; 4 percent increase]. The bill provides funding to hire an additional 65 HSI agents.

- **Domestic Investigations: \$1.899 billion** [FY 2017 Omnibus Enacted Discretionary Funding: \$1.834 billion; 4 percent increase]. This funding item supports criminal investigations to protect the U.S. against terrorism, transnational criminal organizations, and other actors who threaten public safety and national security. Domestic Investigations also helps identify, locate, and remove undocumented immigrants who overstay their visas or potentially pose a threat to national security.
- **International Operations: \$169 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$159 million; 6 percent increase]. International Operations funding enables 67 offices in 50 countries to conduct law enforcement activities and provide investigative support to domestic offices in combating crime. Specifically, International Operations focuses on transnational criminal organizations that engage in human smuggling and trafficking, among other issues.

**Legal Proceedings (Office of the Principal Legal Advisor [OPLA]): \$272 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$259 million; 5 percent increase]. The OPLA provides legal counsel and representation, personnel training, and litigation support to ICE. This program also serves as the exclusive DHS representative in removal proceedings before the Department of Justice Executive Office for Immigration Review.

- This funding item supports the hiring of 70 additional ICE attorneys. Currently, there are approximately 1,100 ICE attorneys in DHS.

#### **Office of Civil Rights and Civil Liberties (OCRCL)**

**FY 2018 Omnibus Enacted Spending Authority: \$23.6 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$22.6 million; 4 percent increase]. The OCRCL advises and trains DHS leadership on civil rights and civil liberties issues, investigates civil rights and civil liberties complaints from the public and manages DHS' equal employment opportunity programs. It is specifically involved in the oversight of ICE's 287(g) and Priority Enforcement Programs (PEPs) by providing policy advice, investigations and training.

#### **Office of the Inspector General**

**FY 2018 Omnibus Enacted Spending Authority: \$168 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$175 million; 4 percent decrease]. The Office of Inspector General conducts and supervises independent audits, inspections, special reviews and investigations of DHS programs and operations.

### **U.S. Citizenship and Immigration Services (USCIS)**

**FY 2018 Omnibus Enacted Spending Authority: \$4.483 billion** [FY 2017 Omnibus Enacted Spending Authority: \$4.181 billion; 7 percent increase]. USCIS is primarily funded by user fees. The total spending authority for FY 2018 includes approximately \$4.350 billion in amounts to be collected as fees.

- **FY 2019 Requested Discretionary Funding: \$133 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$121 million; 10 percent increase].
  - **Employment Status Verification (E-Verify): \$132 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$119 million; 11 percent increase]. USCIS' discretionary funding predominantly funds the E-Verify program. This includes \$109 million in funding for the operations, mission support, and associated management or administration costs of E-Verify and \$23 million in funding for the procurement, construction and improvement costs of E-Verify.

**Immigration Examinations Fee Account: \$4.268 billion** [FY 2017 Omnibus Enacted Spending Authority: \$3.998 billion; 7 percent increase]. Almost all of USCIS funding comes from the Immigration Examinations Fee Account. This account is where the fees collected from immigrants applying for immigration status or visas are collected and deposited. Funds are used to operate USCIS District Offices, service centers, Asylum/Refugee Operations, records, information and customer services, adjudication services and administration.

- **Asylum, Refugee and International Operations: \$345 million** [FY 2017 Omnibus Enacted Spending Authority: \$358 million; 4 percent decrease]. This item is funded from the Immigration Examinations Fee Account to extend humanitarian protection and immigration benefits to eligible individuals. This item was the only USCIS adjudication services item that saw a funding decrease, despite an overall increase in the enacted spending authority for the Immigration Examinations Fee Account.
- **Systemic Alien Verification for Entitlements (SAVE): \$37 million** [FY 2017 Omnibus Enacted Spending Authority: \$34 million; 9 percent increase]. This program assists federal, state and local agencies in determining eligibility for licenses or public benefits by verifying the applicant's immigration status. It is funded through a combination of fees charged to users of the system and funds from the Immigration Examinations Fee Account.
- **Citizenship and Assimilation Grants: \$10 million** [FY 2017 Omnibus Enacted Spending Authority: \$10 million; no change]. Congress authorized USCIS to obligate \$10 million in FY 2018 from user fee revenue to support the immigrant integration grants program, now known as the Citizenship and Assimilation Grants program. These grants help promote awareness and understanding of citizenship and assimilation into American civic life.

**H-1B and L Visa Fraud Prevention and Detection Fee Account: \$67 million** [FY 2017 Omnibus Enacted Spending Authority: \$47 million; 43 percent increase]. These funds are collected from fees and used to prevent and detect fraud in the delivery of all immigration benefit types to ensure the integrity of the immigration system.

**H-1B Nonimmigrant Petitioner Fee Account: \$15 million** [FY 2017 Omnibus Enacted Spending Authority: \$15 million; no change]. Certain employers who participate in the H-1B program must pay \$1,500 in addition to the Form I-129 base filing fee. Of the amounts deposited into the H-1B Nonimmigrant Petitioner Account, 55% of the fee revenue is provided to the Department of Labor, 40% is provided to the National Science Foundation and 5% percent is retained by USCIS.

**Office of Citizenship and Immigration Services Ombudsman**

**FY 2018 Omnibus Enacted Spending Authority: \$6.2 million** [FY 2017 Omnibus Enacted Discretionary Funding: \$6 million; 3 percent increase]. The USCIS Ombudsman assists individuals and employers with cases pending before USCIS and proposes policy changes to mitigate identified problem.