

The President's Budget Request: Fiscal Year (FY) 2020

The Trump administration released President Trump's budget request for fiscal year (FY) 2020 on March 11, 2019. This document provides an overview of the Department of Homeland Security's (DHS) [budget request](#) for its immigration-related responsibilities and compares the request to the amounts [enacted](#) by Congress for FY 2019 and the President's [budget request](#) for FY 2019.

Department of Homeland Security (DHS)

FY 2020 Requested Discretionary Funding for DHS: \$51.7 billion [FY 2019 Enacted Funding: \$49.4 billion (5 percent increase); FY 2019 President's Budget Request: \$47 billion (10 percent increase)].

Customs and Border Protection (CBP)

FY 2020 Requested Spending Authority: \$20.9 billion [FY 2019 Enacted Funding: \$17.3 billion (21 percent increase); FY 2019 President's Budget Request: \$16.7 billion (25 percent increase)]. The requested spending authority for FY 2020 includes about \$2.7 billion in anticipated fees, fines and offsetting collections.

- **FY 2020 Requested Discretionary Funding: \$18.2 billion** [FY 2019 Enacted Funding: \$15 billion (21 percent increase); FY 2019 President's Budget Request: \$14.2 billion (28 percent increase)].

Border Security Operations: \$4.9 billion [FY 2019 Enacted Funding: \$4.7 billion (4 percent increase); FY 2019 President's Budget Request: \$4.8 billion (2 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: \$4.8 billion** [FY 2019 Enacted Funding: \$4.7 billion (2 percent increase); FY 2019 President's Budget Request: \$4.7 billion (2 percent increase)]. This item funds the operations of the Border Patrol, which in FY 2018 consisted of approximately 19,555 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 has been unable to meet that staffing goal due to recruiting and hiring difficulties.
 - **Hire 750 Additional Border Patrol Agents: \$163.6 million** [*new funding item*]. This item would support hiring an additional 750 additional Border Patrol agents and 145 associated support personnel, including their training and equipment.
- **Office of Training and Development: \$77 million** [FY 2019 Enacted Funding: \$60 million (28 percent increase); FY 2019 President's Budget Request: \$82 million (6 percent decrease)]. 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: \$4.5 billion [FY 2019 Enacted Funding: \$4.6 billion (2 percent decrease); FY 2019 President’s Budget Request: \$4.4 billion (2 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): \$4.2 billion** [FY 2019 Enacted Funding: \$4.3 billion (2 percent decrease); FY 2019 President’s Budget Request: \$4.1 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.
 - **Hire 267 Additional CBP OFO Personnel: \$27.8 million** [new funding item]. This funding would fund an additional 171 OFO officers at ports of entry, five Agriculture Specialists, and 91 mission and operational support personnel.
- **Office of Training and Development: \$48 million** [FY 2019 Enacted Funding: \$62 million (23 percent decrease); FY 2019 President’s Budget Request: \$47 million (2 percent increase)]. The Office of Training and Development (OTD) is responsible for providing training to CBP OFO personnel at ports of entry.

Procurement, Construction, and Improvements: \$5.4 billion [FY 2019 Enacted Funding: \$2.5 billion (116 percent increase); FY 2019 President’s Budget Request: \$1.8 billion (200 percent increase)].

- **Border Wall Construction: \$5 billion** [FY 2019 Enacted Funding: \$1.4 billion (257 percent increase); FY 2019 President’s Budget Request: \$1.6 billion (213 percent increase)]. This item would support construction of approximately 200 miles of a “new border wall system,” including real estate and environmental planning, land acquisition, design, construction and oversight.
- **Other Border Security Assets and Infrastructure: \$83 million** [FY 2019 Enacted Funding: \$100 million (17 percent decrease); FY 2019 President’s Budget Request: \$47 million (77 percent increase)]. This item provides funding for surveillance and technology at the border, including \$41 million for Remote Video Surveillance Systems (RVSS) and \$15 million for Mobile Video Surveillance System (MVSS). The item also provides \$27 million for Border Security Assets and Infrastructure End Items, which funds other technologies and assets for the Border Patrol.
- **Trade and Travel Assets and Infrastructure: \$66 million** [FY 2019 Enacted Funding: \$625 million (90 percent decrease); FY 2019 President’s Budget Request: \$44 million (50 percent increase)]. This item supports technologies and assets for CBP OFO, including screening, scanning, biometric and/or other processing systems to expedite legal trade and travel to the U.S.
- **Construction and Facility Improvements: \$100 million** [FY 2019 Enacted Funding: \$270 million (63 percent decrease); FY 2019 President’s Budget Request: \$48 million (108 percent increase)]. This item provides \$67 million in funding for the design and construction of three Border Patrol checkpoints in Texas (Freer, Carrizo Springs and Eagle Pass). It also provides \$15 million for the construction of a Border Patrol Forward Operating Base in Papago Farms, Arizona to allow for “timely threat mitigation response” near that portion of the Southern border.

Mission Support: \$1.9 billion [FY 2019 Enacted Funding: \$1.8 billion (6 percent increase); FY 2019 President’s Budget Request: \$1.8 billion (6 percent increase)].

- **Office of Professional Responsibility: \$233 million** [FY 2019 Enacted Funding: \$197 million (18 percent increase); FY 2019 President’s Budget Request: \$225 million (4 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.
- **Office of Chief Counsel: \$60 million** [FY 2019 Enacted Funding: \$57 million (5 percent increase); FY 2019 President’s Budget Request: \$58 million (3 percent increase)].
- **Body-Worn Cameras: \$0** [FY 2019 Enacted Funding: \$0 (no change); FY 2019 President’s Budget Request: \$0 (no change)]. The President’s budget does not directly request additional funding to support the incorporation of body-worn camera technology in CBP law enforcement operations.

Integrated Operations: \$1.1 billion [FY 2019 Enacted Funding: \$1.1 billion (no change); FY 2019 President’s Budget Request: \$1.1 billion (no change)]. This item includes funding for multiple CBP mission programs, including Air and Marine Operations.

- **Air and Marine Operations: \$890 million** [FY 2019 Enacted Funding: \$870 million (2 percent increase); FY 2019 President’s Budget Request: \$887 million (0.3 percent increase)]. This item funds Air and Marine Operations’ 953 federal agents, 234 aircraft and 315 marine vessels tasked with interdicting unlawful cargo and people without documentation in the air and maritime environments.

Immigration and Customs Enforcement (ICE)

FY 2020 Requested Spending Authority: \$9.3 billion [FY 2019 Enacted Spending Authority: \$7.5 billion (24 percent increase); FY 2019 President’s Budget Spending Authority Request: \$8.8 billion (6 percent increase)]. The number of full-time equivalent (FTE) positions would increase by 1,022 positions over FY 2019, to 24,461.

- This request includes an increase of more than 1,000 law enforcement officers and 666 commensurate support staff “to fill critical operational and resource gaps and to more effectively carry out ICE’s mission” in furtherance of implementing Executive Order (EO) 13768 *Enhancing Public Safety in the Interior of the United States*.
- The President’s budget anticipates an additional \$207.6 million to ICE as a result of a non-expenditure transfer from USCIS’ Immigration Examinations Fee Account (IEFA), which is funded by immigrants applying for immigration status or visas.

Enforcement and Removal Operations (ERO): \$5.2 billion [FY 2019 Enacted Funding: \$4.3 billion (21 percent increase); FY 2019 President’s Budget Request: \$5.1 billion (2 percent increase)]. The FY 2020 request calls for 10,425 full-time equivalent (FTE) positions, an increase of 2,441 positions from FY 2018. ERO carries out the apprehension, detention, and removal of removable individuals from the U.S.

Custody Operations: \$3.7 billion [FY 2019 Enacted Funding: \$3.2 billion (16 percent increase); FY 2019 President’s Budget Request: \$3.5 billion (6 percent increase)]. The FY 2020 request calls for 5,364 FTE positions, an increase of 161 positions from FY 2018.

- The FY 2020 Budget-in-Brief requests \$2.7 billion dollars to maintain 54,000 detention beds, 2,500 of which would be for family units. This would represent an increase of 19 percent over the expected average detention bed level of 45,274 for FY 2019.
- There is a discrepancy in that the FY 2020 Budget document states the FY 2020 budget request has a goal of expanding detention capacity to 60,000, including 10,000 family detention beds.

Fugitive Operations: \$220 million [FY 2019 Enacted Funding: \$159 million (38 percent increase); FY 2019 President’s Budget Request: \$256 million (14 percent decrease)]. The number of FTE positions would increase by 542 positions to 1,371 FTE positions over FY 2018 levels.

- Fugitive Operations “identifies, locates, and arrests removable aliens in the United States.” The National Fugitive Operations Program (NFOP) targets “the entire fugitive population” for arrest and removal, pursuant to Executive Order (EO) 13768 *Enhancing Public Safety in the Interior of the United States*.

Criminal Alien Program: \$515 million [FY 2019 Enacted Funding: \$219 million (135 percent increase); FY 2019 President’s Budget Request: \$619 million (17 percent decrease)]. The request calls for 3,094 FTE positions, nearly double the 1,631 FTE positions in FY2018 (an increase of 1,463 positions).

- 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.

Alternatives to Detention: \$210 million [FY 2019 Enacted Funding: \$275 million (24 percent decrease); FY 2019 President’s Budget Request: \$185 million (14 percent increase)]. FTE positions would increase by 107 over FY 2018 levels to 355.

- Despite requesting less funding in FY 2020 than the enacted funding for Alternatives to Detention (ATDs) in FY 2019, the budget plan notes that the funding includes “additional investments in the Alternatives to Detention program for active monitoring of a total alien population of approximately 120,000.” This represents an increase of 20,000 over the 100,000 ATD slots funded in FY 2019 (an increase of 20 percent).
- The ATD program “supervises certain individuals using a combination of home and office visits, alert response, court tracking, and monitoring technology as alternatives to detention, allowing participating individuals to remain in their communities while their cases are processed.”

Transportation and Removal Program: \$557 million [FY 2019 Enacted Funding: \$483 million (15 percent increase); FY 2019 President’s Budget Request: \$511 million (9 percent

increase)]. The number of FTE positions would more than triple going from 73 in FY 2018 to 241 positions in the FY 2020 Budget Request.

- This program “coordinates the safe and secure transportation of aliens who either are subject to final orders of removal or require transfer within the United States.”

Homeland Security Investigations: \$1.7 billion [FY 2019 Enacted Funding: \$1.9 billion (11 percent decrease); FY 2019 President’s Budget Request: \$1.6 billion (6 percent increase)]. The budget includes funding for 8,174 FTE positions, a decrease of 564 positions from FY 2018 levels.

- The Homeland Security Investigations (HSI) program “conducts criminal investigations to protect the United States against terrorism and criminal organizations that threaten public safety and national security. HSI combats transnational criminal enterprises that seek to exploit America’s legitimate trade, travel, and financial systems. This program upholds and enforces America’s customs and immigration laws at and beyond our Nation’s borders.”

Domestic Investigations: \$1.43 billion [FY 2019 Enacted Funding: \$1.65 billion (13 percent decrease); FY 2019 President’s Budget Request: \$1.39 billion (3 percent increase)]. The budget calls for 8,174 FTE positions, a decrease of 564 positions.

- Domestic Investigations “conducts criminal investigations throughout the United States to protect against terrorists, transnational criminal organizations (TCOs), and other malicious actors who attempt to exploit America’s trade, travel, and financial operations and threaten public safety and national security.”

International Operations: \$170 million [FY 2019 Enacted Funding: \$173 million (2 percent decrease); FY 2019 President’s Budget Request: \$151 million (13 percent increase)]. The Budget Request increases the number of FTE positions by 58 to 351 as compared to FY 2018 levels.

- International Operations targets transnational criminal organizations “engaged in human trafficking narcotics, money, firearms, and sensitive technologies, and the sexual exploitation of children, including child sex tourism.”

Legal Proceedings (Office of the Principal Legal Advisor [OPLA]): \$326 million [FY 2019 Enacted Funding: \$260 million (25 percent increase); FY 2019 President’s Budget Request: \$305 million (7 percent increase)]. The request would support 2,099 FTE positions, an increase of 512 positions from FY 2018 levels.

- The Office of the Principal Legal Advisor “provides advice and counsel to ICE personnel on their law enforcement authorities and legal liabilities. The program represents ICE before multiple administrative venues and supports the Department of Justice in the prosecution of ICE cases and in the defense of civil cases against ICE. This program serves as the exclusive DHS representative in removal proceedings before the Department of Justice Executive Office for Immigration Review.”

Other Requests Highlighted in the Budget

- **Hire Additional ICE Personnel: \$314 million** [new funding item]. The President’s budget for ICE requests a cumulative \$314 million to hire an additional 1,000 ICE law enforcement officers and 666 support personnel, including 128 immigration court

prosecuting attorneys and 538 critical support staff, to carry out ICE's mission, pursuant to Executive Order (EO) 13768 *Enhancing Public Safety in the Interior of the United States*.

Office of the Inspector General

FY 2020 Requested Discretionary Funding: \$170 million [FY 2019 Enacted Funding: \$168 million (1 percent increase); FY 2019 President's Budget Request: \$162 million (5 percent increase)]. The Office of Inspector General conducts and supervises independent audits, inspections, special reviews and investigations of DHS programs and operations. The request would fund 745 full-time equivalents (FTEs), a decrease from 760 FTEs enacted by Congress in FY 2018.

Office of the Secretary and Executive Management

Operations and Engagement: \$46.2 million [*new funding item*]. The budget request proposes to move the Office for Civil Rights and Civil Liberties (CRCL) and the Office of the Citizenship and Immigration Services Ombudsman, as well as other offices, into the newly formed Operations and Engagement funding account, which is under the Office of the Secretary and Executive Management.

- **Office of Civil Rights and Civil Liberties (CRCL): \$24 million** [FY 2019 Enacted Funding: \$25.3 million (5 percent decrease); FY 2019 President's Budget Request: \$20.8 million (15 percent increase)]. CRCL 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 PEP programs by providing policy advice, investigations and training.
- **Office of the Citizenship and Immigration Services Ombudsman: \$7.8 million** [FY 2019 Enacted Funding: \$6.2 million (26 percent increase); FY 2019 President's Budget Request: \$5.9 million (32 percent increase)]. The USCIS Ombudsman assists individuals and employers with cases pending before USCIS and proposes policy changes to mitigate identified problems.

U.S. Citizenship and Immigration Services (USCIS)

FY 2020 Requested Spending Authority: \$4.8 billion [FY 2019 Enacted Funding: \$4.7 billion (2 percent increase); FY 2019 President's Budget Request: \$4.7 billion (2 percent increase)]. USCIS is primarily funded by user fees. The total spending authority for FY 2020 includes approximately \$4.7 billion in amounts to be collected over the year as fees.

- **FY 2020 Requested Discretionary Funding: \$122 million** [FY 2019 Enacted Funding: \$143 million (15 percent decrease); FY 2019 President's Budget Request: \$132 million (8 percent decrease)].
 - **Employment Status Verification (E-Verify): \$122 million** [FY 2019 Enacted Funding: \$133 million (8 percent decrease); FY 2019 President's Budget Request: \$132 million (8 percent decrease)]. USCIS' discretionary funding funds the E-Verify program. This includes funding for the operations, mission support, and associated management or administration costs of E-Verify. While the budget proposes to cut E-Verify funding by eight percent, it predicts that the number of E-

Verify cases will increase to 43.3 million in FY 2020 from about 40.8 million in FY 2019.

Immigration Examinations Fee Account: \$4.7 billion [FY 2019 Enacted Funding: \$4.5 billion (4 percent increase); FY 2019 President’s Budget Request: \$4.5 billion (4 percent increase)]. Almost all 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.

- **Immigration Services Surcharge: 10 Percent Surcharge to All Immigration Filing Fees** [*new funding item*]. The President’s budget [recommends](#) adding a 10 percent surcharge to all immigration filing fees for deficit reduction. The proposal is expected to collect \$5 billion over the next ten years. This new funding item is also referred to in the President’s [main budget document](#).
- **Fee Funded Transfer to ICE: \$207.6 million** [FY 2019 Enacted Funding: \$0; FY 2019 President’s Budget Request: \$207.6 million (no change)]. For the second year in a row, the President’s budget requests a transfer of \$207.6 million from the Immigration Examinations Fee Account, which is funded by immigrants applying for immigration status or visas, to ICE to support immigration investigation and enforcement. The President’s budget request argued in FY 2019 that USCIS collects fees to recover the full cost of providing immigration adjudications and naturalization services, so this should include the cost of investigatory work necessary to adjudicate applications and petitions, as well as the work conducted after an adjudication decision has been rendered by USCIS. The President’s budget request states that USCIS will rely on carryover funds to “mitigate the impact of the transfer of funds to ICE.”
- **Asylum, Refugee and International Operations: \$349 million** [FY 2019 Enacted Funding: \$338 million (3 percent increase); FY 2019 President’s Budget Request: \$356 million (2 percent decrease)]. This item is funded from the Immigration Examinations Fee Account to extend humanitarian protection and immigration benefits to eligible individuals.
- **Systemic Alien Verification for Entitlements (SAVE): \$38 million** [FY 2019 Enacted Funding: \$35 million (9 percent increase); FY 2019 President’s Budget Request: \$38 million (no change)]. 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: \$0** [FY 2019 Enacted Funding: \$10 million (100 percent decrease); FY 2019 President’s Budget Request: \$0 (no change)]. Congress provided USCIS \$10 million in discretionary funding in FY 2019 to support the Citizenship and Integration Grants program, now known as the Citizenship and Assimilation Grants program. For the second year in a row, the President’s budget does not make a specific request to fund 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: \$48.5 million [FY 2019 Enacted Funding: \$48 million (1 percent increase); FY 2019 President's Budget Request: \$47 million (3 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 2019 Enacted Funding: \$15 million (no change); FY 2019 President's Budget Request: \$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.