U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

April 1, 2019

SENT VIA EMAIL TO: weiserw@brennan.law.nyu.edu

Wendy Weiser
Brennan Center for Justice, Director
120 Broadway, Suite 1750
New York, NY 10271

Re: 17-cv-06335 (2018-HQFO-00465)
Brennan Center for Justice and the Protect Democracy Project v. DOJ, et al.
Sixth Interim Release

Dear Ms. Weiser:

This is our sixth interim response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated January 8, 2018.

For this production, DHS reviewed 509 pages of which seven pages are released in full, one page is withheld in full, and 176 pages are withheld in part pursuant to FOIA exemptions (b)(5) and (b)(6). 215 pages are duplicates or non-responsive. DHS has also located and sent 110 pages to other agencies for consultation. The 184 pages for release are bates stamped DHS-001-6335-001241 to DHS-001-6335-001424.

If you have any questions regarding this release, please contact Assistant U.S. Attorney Casey Lee, United States Attorney's Office, U.S. District Court for the District of Columbia, by email at Casey.Lee@usdoj.gov.

Sincerely,

Bradley E. White
FOIA Program Specialist

Enclosure: 184 pages

From:	(b)(6) @iapp.org>
To:	"Cantor, Jonathan (b)(6) (b)(6)
Subject:	Privacy Act scope question
Date:	2017/06/30 10:51:50
Type:	Note

Good morning, Jonathan.

Sam Pfeifle just told me to reach out to you about a question we have been discussing this morning... we would love your input if you are able to provide any guidance

Specifically, we are wondering whether the President's Advisory Commission on Election Integrity (established by Executive Order 13799, May 11, 2017) could be subject to the Privacy Act if it were to create a database of voter information gathered from various states.

It appears that the Advisory Commission recently

reached out to state election authorities requesting any "publicly available voter roll data," including the following information ("if publicly available" under state law):

> *"full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number if available, voter history (election voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information."*

I know the Executive Office of the President is an agency under the Privacy Act, so unless an advisory commission is apart from the Executive Office or exempt

from the requirements, I fail to see how it would not be required to publish a SORN when collecting this sort of information. I also don't recall there being an exception to the requirements if an agency only collects publicly available information, but I
am still new to the Privacy Act, so I could have missed something.

Thanks in advance for any help you can give us.

All my best,

(b)(6)

IAPP | International Association of Privacy Professionals

75 Rochester Ave., Suite 4 | Portsmouth, NH 03801 USA

(b)(6)

(b)(6) iapp.org

Sender:	(b)(6) iapp.org>
Recipient:	"Cantor, Jonathan " (b)(6) (b)(6)
Sent Date:	2017/06/30 10:51:46
Delivered Date:	2017/06/30 10:51:50

From:	Houlton, Tyler (b)(6) (b)(6)
To:	"Hoffman, Jonathan (b)(6) (b)(6) "Manfra, Jeanette < (b)(6) "Krebs, Christopher (b)(6) "Wales, Brandon (b)(6) (b)(6) "Claffey, Lauren < (b)(6)
Subject:	FW: Executive Order on the Termination of Presidential Advisory Commission on Election Integrity
Date:	2018/01/03 19:25:15
Priority:	Normal
Type:	Note

ICYMI

From: White House Press Office

Sent: Wednesday, January 03, 2018 7:16:23 PM

To: Media Inquiry

Subject: Executive Order on the Termination of Presidential Advisory Commission on Election Integrity

THE WHITE HOUSE

Office of the Press Secretary

FOR IMMEDIATE RELEASE

January 3, 2018

EXECUTIVE ORDER

- - - - - - -

TERMINATION OF PRESIDENTIAL

ADVISORY COMMISSION ON ELECTION INTEGRITY

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Executive Order 13799 of May 11, 2017 (Establishment of Presidential Advisory Commission on Election Integrity), is hereby revoked, and the Presidential Advisory Commission on Election Integrity is accordingly terminated.

Sec.

2. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party (other than by the United States) against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,

January 3, 2018.

###

Unsubscribe

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

Sender:	Houlton, Tyler (b)(6) (b)(6)
Recipient:	"Hoffman, Jonathan (b)(6) (b)(6) "Manfra, Jeanette </ (b)(6) (b)(6) "Krebs, Christopher < (b)(6) (b)(6) "Wales, Brandon (b)(6) (b)(6) "Claffey, Lauren < (b)(6)
Sent Date:	2018/01/03 19:25:13
Delivered Date:	2018/01/03 19:25:15

From:	Plcy Exec Sec (b)(6) (b)(6)
To:	"Immigration Policy (b)(6) (b)(6)
Cc:	"Plcy Exec Sec (b)(6) (b)(6) (b)(6) (b)(6) PLCY-BIT Tasking (b)(6) "Petyo, Briana (b)(6) (b)(6)
Subject:	[Due 1/26 at 4 p.m.] [PLCY draft] WF #1156585 - Rep. Bennie Thompson (D-MS) writes re: DHS responsibilities related to the defunct Presidential Commission on Election Integrity
Date:	2018/01/24 15:50:05
Priority:	Normal
Type:	Note

Good afternoon BIT/IMM,

Per PLCY FO guidance, you are the lead for this tasking. Please prepare a response for A/S Nealon's signature, as well as a COS cover memo, and submit to PLCY Exec Sec **by 4 p.m. on Friday, January 26**.

For awareness, PLCY Exec Sec will circulate the draft to MGMT, NPPD, OGC, and OLA for clearance once received.

Best regards,

Grant Blanton
Social Science Analyst
Office of Strategy, Policy, and Plans | Executive Secretariat
U.S. Department of Homeland Security
Desk: (b)(6)
Mobil
UNCLAS (b)(6)
HSDN:
JWICS:

Sender:	Plcy Exec Sec (b)(6) (b)(6)
Recipient:	"Immigration Policy (b)(6) (b)(6) "Plcy Exec Sec (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PLCY-BIT Tasking (b)(6) "Petyo, Briana (b)(6) (b)(6)

Sent Date:	2018/01/24 15:50:04
Delivered Date:	2018/01/24 15:50:05

Congress of the United States
Washington, DC 20515

SCANNED/RECEIVED
BY ESEC
2018 JAN 23 AM 11:50

January 23, 2018

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Secretary Nielsen:

We write seeking clarification regarding the Department of Homeland Security's (the Department or DHS) responsibilities related to the defunct Presidential Commission on Election Integrity (the Commission).

On May 11, 2017, President Trump signed Executive Order 13799, *Establishment of Presidential Advisory Commission on Election Integrity* [1] to investigate allegations "improper voter registrations and improper voting, including fraudulent voter registrations and fraudulent voting," substantiated by nothing more than the President's active imagination and frustration that he did not receive the majority of the popular votes cast in the 2016 presidential election. The Commission was the subject of criticism from the start. Advocacy organizations ultimately took legal action on multiple occasions, alleging violations of several federal laws, including the Fifth Amendment to the U.S. Constitution, the Privacy Act, the Hatch Act, and of multiple state laws, among other things.[2]

On January 3, 2018, fewer than nine months after he established it, the President abruptly terminated the Commission.[3] To the best of our knowledge, the Commission was unable to produce any evidence of improper voter registrations and improper voting, including fraudulent voter registrations and fraudulent voting. Indeed, we understand that, contrary to the Administration's initial statements, the Commission did not develop any "preliminary findings" that would be transferred to DHS.[4] Moreover, all of the voter data it collected will, rightfully, be destroyed.[5]

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[1] Exec. Order No. 13799, 82 Fed. Reg. 22389 (May. 16, 2017), *available at* https://www.gpo.gov/fdsys/pkg/FR-2017-05-16/pdf/2017-10003.pdf.

[2] *See* Legal Actions Taken Against Trump's "Voter Fraud" Commission, " *Brennan Center for Justice* (Dec. 26, 2017), https://www.brennancenter.org/legal-actions-taken-against-trump%E2%80%99s-%E2%80%9Cfraud%E2%80%9D-commission (last accessed Jan. 10, 2018).

[3] Exec. Order No. 13820, 83 Fed. Reg. 969 (Jan. 3, 2018), *available at* https://www.gpo.gov/fdsys/pkg/FR-2018-01-08/pdf/2018-00240.pdf.

[4] Josh Gerstein, "White House Plans to Destroy Trump Election Fraud Commission's Voter Data," *Politico* (Jan. 9, 2017), *available at* https://www.politico.com/blogs/under-the-radar/2018/01/09/trump-election-fraud-commission-voter-data-332745.

[5] *Id.*

PRINTED ON RECYCLED PAPER

In the meantime, to its credit, the Department of Homeland Security has continued its work to carry out its responsibilities related to the designation of election infrastructure as a critical infrastructure subsector. Then-Secretary Jeh Johnson made the designation on January 6, 2017, following the Intelligence Community's assessment that "Russian efforts to influence the 2016 US presidential election represent the most recent expression of Moscow's longstanding desire to undermine the US-led liberal democratic order, but these activities demonstrated a significant escalation in directness, level of activity, and scope of effort compared to previous operations."[6] Over the course of the past year, nothing has occurred to suggest that Russia has any less interest in undermining confidence in our democratic processes. Accordingly, helping states secure their election infrastructure against credible foreign threats should remain one of the Department's top priorities.

When he terminated the Commission, the President directed DHS to examine "its initial findings and determine next courses of action."[7] It is unclear how the Department will carry out this charge given that the Commission never produced any findings. Moreover, we are concerned that directing DHS essentially to take over where the Commission left off could distract the Department from its pressing obligation to protect US election systems from foreign interference and may undermine the burgeoning relationships DHS is building with state election officials.

Public statements from the Department have been somewhat reassuring that DHS will not divert resources from its ongoing election security work, but they are not conclusive.[8] Accordingly, pursuant to Rule X(3)(g) and Rule XI of the Rules of the House of Representatives, we respectfully request you provide a written response to the following information, and whatever supplementary information you deem responsive, by January 26, 2018:

- According to the President, the Department will take over the work of the Commission. We understand that all voter data collected will be destroyed and that the Commission never made any findings. If that is the case, what will the Department be taking over? Please identify any documents, files, electronic records, or information that the Department has received or anticipates receiving from the Commission.

- What new activities, if any, will the Department undertake pursuant to the President's decision to terminate the Commission and transfer its responsibilities to DHS? What

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[6] Office of the Director of National Intelligence, *Assessing Russian Activities and Intentions in Recent U.S. Elections*, ICA 2017-01D (Jan. 6, 2017), https://www.dni.gov/files/documents/ICA_2017_01.pdf.

[7] Press Release, The White House, Statement by the Press Secretary on the Presidential Advisory Commission on Election Integrity (Jan. 3, 2018), *available at* https://www.whitehouse.gov/briefings-statements/statement-press-secretary-presidential-advisory-commission-election-integrity/.

[8] Dustin Volz & Julia Harte, "DHS Election Unit Has No Plans for Probing Voter Fraud: Sources," *Reuters* (Jan 5, 2018), *available at* https://www.reuters.com/article/us-usa-election-dhs/dhs-election-unit-has-no-plans-for-probing-voter-fraud-sources-idUSKBN1EU1YF?feedType=RSS&feedName=politicsNews (citing a DHS official who said that the Department would continue "'to work in support of state governments who are responsible for administering elections, with efforts focused on securing elections against those who seek to undermine the election system or its integrity.'").

information will inform DHS' actions? Will these new activities, if any, require the Department to divert resources from existing activities?

- Some state election officials have expressed concern that charging DHS with investigating voter fraud allegations may undermine the cooperative relationships between the Department and the states that are necessary to keep elections secure.[9] What are you doing to preserve those important relationships?

Thank you for your attention to this matter. If you have any questions or require additional information, please contact Alison Northrop, Chief Director for Oversight, at (202) 226-2616.

Sincerely,

BENNIE G. THOMPSON
Ranking Member
Committee on Homeland Security

ROBERT A. BRADY
Ranking Member
Committee on House Administration

[9] *Id.*

Page 012

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	Shuchart, Scott <(b)(6) (b)(6)
To:	"Sultan, Jennifer (b)(6)
Subject:	RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity
Date:	2018/01/10 17:25:37
Priority:	Normal
Type:	Note

Legislative taskers are particularly challenging because we get PDFs from the Hill, not Word, but I suppose your word version could have gone on sharepoint. Let's not try to change anything else about document handling processes until the Windows 10 transition next month. We may get more modern tools at that time.

From: Sultan, Jennifer
Sent: Wednesday, January 10, 2018 4:23:02 PM
To: Shuchart, Scott
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Thanks and appreciate all of your help on a variety of the things that keep me busy. Is there not a better way for all of us to have worked on edits to the bill?

From: Shuchart, Scott
Sent: Wednesday, January 10, 2018 4:08 PM
To: Sultan, Jennifer (b)(6) ; Salvano-Dunn, Dana (b)(6) (b)(6)
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Should've sent a link and I hear you!

https://www.politico.com/blogs/under-the-radar/2018/01/09/trump-election-fraud-commission-voter-data-332745

Back when I was acting I-team lead, and we had work, I was definitely feeling the adage that you could go to meetings, keep up with email, or do substantive work – any two of those three – but not all three in one day.

From: Sultan, Jennifer
Sent: Wednesday, January 10, 2018 4:07 PM
To: Shuchart, Scott (b)(6) Salvano-Dunn, Dana (b)(6) (b)(6)

Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Thank you, I have not heard and who can read anything these days besides email in between back to back meetings that often go longer than planned!

From: Shuchart, Scott
Sent: Wednesday, January 10, 2018 2:54 PM
To: Sultan, Jennifer (b)(6); Salvano-Dunn, Dana (b)(6)
(b)(6)
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

I assume you saw, but the White House now says Sarah Huckabee Sanders was mistaken, that there are no preliminary findings to be forwarded to DHS, and that the Commission's copies of state voter data will be deleted/purged, not transmitted to DHS or the Archives. (b)(5)
(b)(5)

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:58 AM
To: Shuchart, Scott (b)(6); Salvano-Dunn, Dana (b)(6)
(b)(6)
Subject: FW: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

---

From: Quinn, Cameron
Sent: Monday, January 8, 2018 11:56 AM
To: Sultan, Jennifer (b)(6)
Cc: Venture, Veronica (b)(6)
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Jen – in process. Will loop you in as this starts really moving.

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:55 AM
To: Quinn, Cameron (b)(6)
Cc: Venture, Veronica
Subject: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Cameron,

As you know, I flagged for you below the existence of a DHS Election Integrity Task Force given your background and potential civil rights and civil liberties issues that could arise in this

context, suggesting that CRCL should at least be involved enough to understand whether the scope will include CRCL equities. To be clear, that effort appears to be an NPPD-led effort to guard against cyber and other threats to interfere with the integrity of the voting process.

Since I sent you the below email, you have no doubt been aware of reports that on January 3, the President issued an executive order disbanding the Presidential Advisory Commission on Election Integrity (created by E.O. 13799, chaired by VP Pence and Kansas Secretary of State Kobach);(b)(5)

(b)(5)

(b)(5)

I discussed this with(b)(6) and she suggested emailing you.

Jen

From: Sultan, Jennifer
Sent: Thursday, December 14, 2017 5:02 PM
To: Quinn, Cameron <(b)(6)
Cc: Venture, Veronica (b)(6)
<(b)(6) Shuchart, Scott <(b)(6)
Subject: DHS Election Integrity Task Force

Cameron,

I am flagging this for your attention given your background in election law and my discussion with Scott about the potential interest here for CRCL. NPPD recently stood up an Election Integrity Task Force. Apparently, Bob Kolasky, the Acting Deputy Under Secretary for NPPD (who is concurrently serving as the Acting Assistant Secretary for the Office of Infrastructure Protection within NPPD) is leading this effort. (b)(6) spoke with an NPPD contact who reports that the organizational structure, goals, and agenda are still in development and the first meeting was held earlier this month. While we have very limited information at this point, (b)(6) has offered to find out more if we would like her to do so.

Potential interest for CRCL: We can imagine DHS election security efforts developing in ways that would benefit from CRCL (and likely PRIV) input and expertise.

- Topics of interest could include:
  - (b)(5)

(b)(5)

If you would like, we would be happy to try to find out more information to better determine whether CRCL might have equities and to offer CRCL support if so. We could also provide you with the appropriate higher level contacts if you would prefer to reach out to someone at your level.

Jen

Sender:	Shuchart, Scott (b)(6) (b)(6)
Recipient:	"Sultan, Jennifer (b)(6) (b)(6)
Sent Date:	2018/01/10 17:25:36
Delivered Date:	2018/01/10 17:25:37

From:	Sultan, Jennifer (b)(6) (b)(6)
To:	"Shuchart, Scott <(b)(6) (b)(6) "Salvano-Dunn, Dana <(b)(6) (b)(6)
Subject:	RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity
Date:	2018/01/10 16:06:34
Priority:	Normal
Type:	Note

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(b)(6) ; Shuchart, Scott <(b)(6)
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Recipient:	"Sultan, Jennifer (b)(6) (b)(6) "Salvano-Dunn, Dana (b)(6) (b)(6)
Sent Date:	2018/01/10 16:08:17

From:	Sultan, Jennifer (b)(6) (b)(6)
To:	"Shuchart, Scott (b)(6) (b)(6)
Subject:	RE: Would you mind editing?
Date:	2018/01/08 11:49:20
Priority:	Normal
Type:	Note

Thanks so much. Will send to you and Dana after sending to Cameron. Dana mentioned she discussed with you and has concerns about (b)(5)

From: Shuchart, Scott
Sent: Monday, January 8, 2018 11:47 AM
To: Sultan, Jennifer <(b)(6)>
Subject: RE: Would you mind editing?

Sure, see below, sorry track changes doesn't really work in outlook, it is only 2018. Substantively it's perfect, I just cleaned up the name of the thing.

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:42 AM
To: Shuchart, Scott <(b)(6)>
Subject: Would you mind editing?

Scott,

I flagged for (b)(6) and she asked me to write up something for Cameron attached to my Dec. 14th email below. Note that today's Hill briefing will also focus on the extent to which CRCL has been consulted early on in Department programs, policy formulation, etc. so I think the timing is right. Can you edit my draft? I don't know what they called that Voting Commission.

(b)(5)

(b)(5)

From: Sultan, Jennifer
Sent: Thursday, December 14, 2017 5:02 PM
To: Quinn, Cameron <(b)(6)
Cc: Venture, Veronica (b)(6) Shuchart, Scott <(b)(6)
Subject: DHS Election Integrity Task Force

Cameron,

I am flagging this for your attention given your background in election law and my discussion with Scott about the potential interest here for CRCL. NPPD recently stood up an Election Integrity Task Force. Apparently, Bob Kolasky, the Acting Deputy Under Secretary for NPPD (who is concurrently serving as the Acting Assistant Secretary for the Office of Infrastructure Protection within NPPD) is leading this effort. (b)(6) spoke with an NPPD contact who reports that the organizational structure, goals, and agenda are still in development and the first meeting was held earlier this month. While we have very limited information at this point, (b)(6) has offered to find out more if we would like her to do so.

Potential interest for CRCL: We can imagine DHS election security efforts developing in ways that would benefit from CRCL (and likely PRIV) input and expertise.

- Topics of interest could include:

(b)(5)

If you would like, we would be happy to try to find out more information to better determine whether CRCL might have equities and to offer CRCL support if so. We could also provide you with the appropriate higher level contacts if you would prefer to reach out to someone at your level.

Jen

Sender:	Sultan, Jennifer (b)(6) (b)(6)
Recipient:	"Shuchart, Scott <(b)(6) (b)(6)

Sent Date:	2018/01/08 11:49:18
Delivered Date:	2018/01/08 11:49:20

From:	Shuchart, Scott (b)(6) (b)(6)
To:	"Sultan, Jennifer (b)(6) (b)(6)
Subject:	RE: Would you mind editing?
Date:	2018/01/08 11:49:57
Priority:	Normal
Type:	Note

Of course.

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:49 AM
To: Shuchart, Scott (b)(6)
Subject: RE: Would you mind editing?

Thanks so much. Will send to you and Dana after sending to Cameron. Dana mentioned she discussed with you and has concerns about (b)(5)

From: Shuchart, Scott
Sent: Monday, January 8, 2018 11:47 AM
To: Sultan, Jennifer (b)(6)
Subject: RE: Would you mind editing?

Sure, see below, sorry track changes doesn't really work in outlook, it is only 2018. Substantively it's perfect, I just cleaned up the name of the thing.

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:42 AM
To: Shuchart, Scott (b)(6)
Subject: Would you mind editing?

Scott,

I flagged for (b)(6) and she asked me to write up something for Cameron attached to my Dec. 14th email below. Note that today's Hill briefing will also focus on the extent to which CRCL has been consulted early on in Department programs, policy formulation, etc. so I think the timing is right. Can you edit my draft? I don't know what they called that Voting Commission.

(b)(5)

(b)(5)

From: Sultan, Jennifer
Sent: Thursday, December 14, 2017 5:02 PM
To: Quinn, Cameron <(b)(6)
Cc: Venture, Veronica (b)(6) Shuchart, Scott <(b)(6)
Subject: DHS Election Integrity Task Force

Cameron,

I am flagging this for your attention given your background in election law and my discussion with Scott about the potential interest here for CRCL. NPPD recently stood up an Election Integrity Task Force. Apparently, Bob Kolasky, the Acting Deputy Under Secretary for NPPD (who is concurrently serving as the Acting Assistant Secretary for the Office of Infrastructure Protection within NPPD) is leading this effort. (b)(6) spoke with an NPPD contact who reports that the organizational structure, goals, and agenda are still in development and the first meeting was held earlier this month. While we have very limited information at this point, (b)(6) has offered to find out more if we would like her to do so.

Potential interest for CRCL: We can imagine DHS election security efforts developing in ways that would benefit from CRCL (and likely PRIV) input and expertise.

- Topics of interest could include:

(b)(5)

If you would like, we would be happy to try to find out more information to better determine whether CRCL might have equities and to offer CRCL support if so. We could also provide you with the appropriate higher level contacts if you would prefer to reach out to someone at your level.

Jen

Sender:	Shuchart, Scott <(b)(6) (b)(6)
Recipient:	"Sultan, Jennifer (b)(6) (b)(6)
Sent Date:	2018/01/08 11:49:56
Delivered Date:	2018/01/08 11:49:57

From:	Sultan, Jennifer (b)(6) (b)(6)
To:	"Shuchart, Scott (b)(6) (b)(6) "
Subject:	RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity
Date:	2018/01/10 16:23:03
Priority:	Normal
Type:	Note

Thanks and appreciate all of your help on a variety of the things that keep me busy. Is there not a better way for all of us to have worked on edits to the bill?

From: Shuchart, Scott
Sent: Wednesday, January 10, 2018 4:08 PM
To: Sultan, Jennifer (b)(6); Salvano-Dunn, Dana <(b)(6) (b)(6)>
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Should've sent a link and I hear you!

https://www.politico.com/blogs/under-the-radar/2018/01/09/trump-election-fraud-commission-voter-data-332745

Back when I was acting I-team lead, and we had work, I was definitely feeling the adage that you could go to meetings, keep up with email, or do substantive work – any two of those three – but not all three in one day.

From: Sultan, Jennifer
Sent: Wednesday, January 10, 2018 4:07 PM
To: Shuchart, Scott (b)(6) Salvano-Dunn, Dana <(b)(6) (b)(6)>
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Thank you, I have not heard and who can read anything these days besides email in between back to back meetings that often go longer than planned!

From: Shuchart, Scott
Sent: Wednesday, January 10, 2018 2:54 PM
To: Sultan, Jennifer (b)(6); Salvano-Dunn, Dana <(b)(6) (b)(6)>
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

I assume you saw, but the White House now says Sarah Huckabee Sanders was mistaken, that there are no preliminary findings to be forwarded to DHS, and that the Commission's copies of state voter data will be deleted/purged, not transmitted to DHS or the Archives. (b)(5)
(b)(5)

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:58 AM
To: Shuchart, Scott (b)(6); Salvano-Dunn, Dana <(b)(6)
(b)(6)>
Subject: FW: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

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From: Quinn, Cameron
Sent: Monday, January 8, 2018 11:56 AM
To: Sultan, Jennifer <(b)(6)
Cc: Venture, Veronica <(b)(6)>
Subject: RE: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Jen – in process. Will loop you in as this starts really moving.

From: Sultan, Jennifer
Sent: Monday, January 8, 2018 11:55 AM
To: Quinn, Cameron <(b)(6)
Cc: Venture, Veronica
Subject: DHS Election Integrity Task Force and E.O. Disbanding Presidential Advisory Commission on Election Integrity

Cameron,

As you know, I flagged for you below the existence of a DHS Election Integrity Task Force given your background and potential civil rights and civil liberties issues that could arise in this context, suggesting that CRCL should at least be involved enough to understand whether the scope will include CRCL equities. To be clear, that effort appears to be an NPPD-led effort to guard against cyber and other threats to interfere with the integrity of the voting process.

Since I sent you the below email, you have no doubt been aware of reports that on January 3, the President issued an executive order disbanding the Presidential Advisory Commission on Election Integrity (created by E.O. 13799, chaired by VP Pence and Kansas Secretary of State Kobach); in public
(b)(5)

(b)(5)

I discussed this with (b)(6) and she suggested emailing you.

Jen

From: Sultan, Jennifer
Sent: Thursday, December 14, 2017 5:02 PM
To: Quinn, Cameron <(b)(6)
Cc: Venture, Veronica (b)(6)
<(b)(6); Shuchart, Scott <(b)(6)
Subject: DHS Election Integrity Task Force

Cameron,

I am flagging this for your attention given your background in election law and my discussion with Scott about the potential interest here for CRCL. NPPD recently stood up an Election Integrity Task Force. Apparently, Bob Kolasky, the Acting Deputy Under Secretary for NPPD (who is concurrently serving as the Acting Assistant Secretary for the Office of Infrastructure Protection within NPPD) is leading this effort. Nabeela spoke with an NPPD contact who reports that the organizational structure, goals, and agenda are still in development and the first meeting was held earlier this month. While we have very limited information at this point, Nabeela has offered to find out more if we would like her to do so.

Potential interest for CRCL: We can imagine DHS election security efforts developing in ways that would benefit from CRCL (and likely PRIV) input and expertise.

- Topics of interest could include:
  - (b)(5)

If you would like, we would be happy to try to find out more information to better determine whether CRCL might have equities and to offer CRCL support if so. We could also provide you with the appropriate higher level contacts if you would prefer to reach out to someone at your level.

Jen

Sender:	Sultan, Jennifer <(b)(6) (b)(6)

Recipient:	"Shuchart, Scott(b)(6) (b)(6)
Sent Date:	2018/01/10 16:23:02
Delivered Date:	2018/01/10 16:23:03

From:	Biggs, Selden <(b)(6) (b)(6)
To:	"Maier, Mark <(b)(6) (b)(6) "Friedmann, Pamela <(b)(6) (b)(6) "Scallan, James <(b)(6) (b)(6)
CC:	"Lester-Saura, Victoria (b)(6) (b)(6) "Sobel, Ted <(b)(6) (b)(6)
Subject:	RE: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)
Date:	2017/07/27 17:06:38
Priority:	Normal
Type:	Note

Here is the response to (b)(5)

From: Maier, Mark
Sent: Thursday, July 27, 2017 4:01 PM
To: Friedmann, Pamela <(b)(6) Scallan, James <(b)(6) Biggs, Selden <(b)(6)
Cc: Lester-Saura, Victoria <(b)(6) <(b)(6)>; Sobel, Ted <(b)(6)
Subject: RE: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

Pamela:

Jim and I have reviewed (b)(5) We have no comments or edits at this time.

We yield to Selden on the remaining (b)(5) question.

Best,
Jim and Mark

From: Friedmann, Pamela
Sent: Thursday, July 27, 2017 1:01 PM
To: Maier, Mark (b)(6)>; (b)(6) <(b)(6)>
Cc: Lester-Saura, Victoria <(b)(6) <(b)(6)>; Sobel, Ted <(b)(6)

Subject: FW: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

More incoming!! See (b)(5)

Selden, please see (b)(5).

Please send consolidated comments back to me. Thank you.

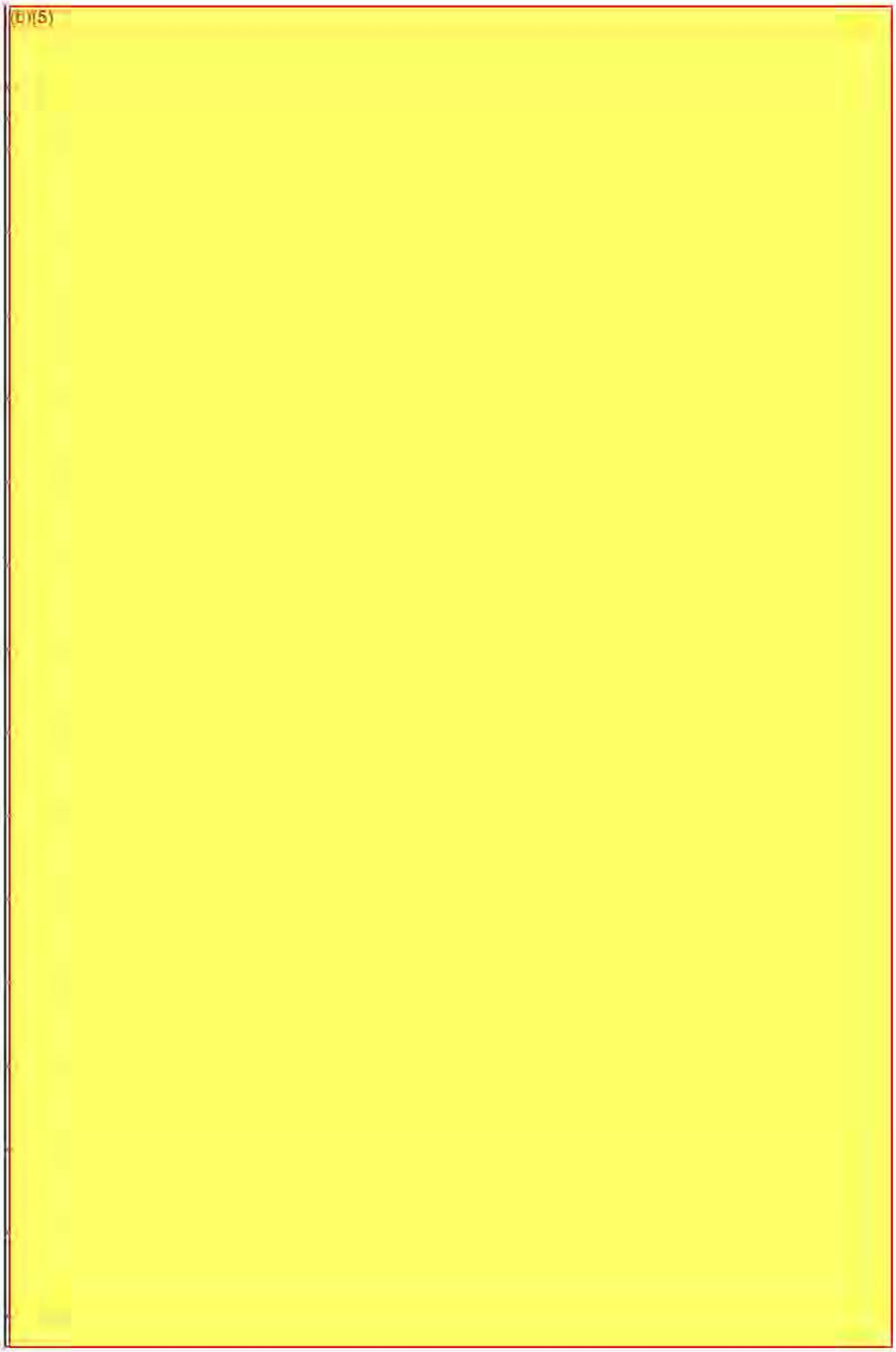
From: (b)(6) **On Behalf Of** Plcy Exec Sec
Sent: Thursday, July 27, 2017 12:56 PM
To: PLCY-SPAR Tasking <(b)(6); PLCY-BIT Tasking <(b)(6)>; PLCY-TPSP Tasking <(b)(6); (b)(6) PLCY-CIRTASKING <(b)(6)
Cc: Immigration Policy <(b)(6)>; Law Enforcement Policy <(b)(6)>; Plcy Exec Sec <(b)(6)>; Americas <(b)(6)
Subject: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

NOTE: ESEC sent set 2 of 2 earlier today.

All:

Please provide consolidated comments/clearance of the attached QFR set by 10am on Monday, July 31. To the extent possible, I've attempted to identify areas of purview to facilitate your review. However, we welcome your input on any responses you deem necessary. Thank you.

QFR	Topic	PLCY Lead; Sub
(b)(5)		


(b)(5)

(b)(5)

Hearing Date: June 6, 2017

Hearing Title: "The Department of Homeland Security Fiscal Year 2018 Budget Request"

DHS Witnesses: John Kelly – DHS Secretary

QFR Breakdown by Sen. /Rep.:

16 questions from Sen. McCaskill (D–MO)

6 questions from Sen. McCain (R–AZ)

4 questions from Sen. Portman (R–OH)

4 questions from Sen. Carper (D–DE)

(b)(6)
Office of Policy, Executive Secretariat
U.S. Department of Homeland Security
(b)(6)
JWICS: (b)(6)

Sender:	Biggs, Selden (b)(6) ((b)(6)
Recipient:	"Maier, Mark <(b)(6) ((b)(6) "Friedmann, Pamela <(b)(6) (b)(6) "Scallan, James <(b)(6) (b)(6) "Lester-Saura, Victoria <(b)(6) ((b)(6) "Sobel, Ted <(b)(6) (b)(6)
Sent Date:	2017/07/27 17:06:37
Delivered Date:	2017/07/27 17:06:38

Question#:	1
Topic:	CBP's Congressional Justification
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: In testimony on April 5, 2017 you assured me that you would "absolutely" provide the Committee with a copy of the requests made by Border Patrol sector chiefs regarding where additional infrastructure and technology should be deployed along the Southwest border as soon as you received the requests. A month later, in a May 5 letter, I again requested "full copies of the prioritized operational requirements for border barrier that the Border Patrol has identified." According to U.S. Customs and Border Protection's (CBP's) Fiscal Year (FY) 2018 Congressional Justification, the very same document I requested and you assured me you would provide the Committee - the Southwest Border Capability Roadmap - was completed by U.S. Border Patrol in April 2017. According to CBP, the roadmap "identifies updated operational requirements needed to achieve operational control of the southern border" and was used to inform DHS's decision to spend $2.6 billion on 74 miles of border barrier along the Southwest border in addition to high-priority tactical infrastructure and border security technology improvements in FY 2018.

Is CBP's Congressional Justification accurate?

(b)(5)

Question#:	1
Topic:	CBP's Congressional Justification
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Was the Southwest Border Capability Roadmap completed in April 2017? If so, when will you provide the Committee with a copy of the Southwest Border Capability Roadmap?

(b)(5)

DRAFT

Question#:	2
Topic:	Unacquired Land
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: As it relates to land at issue in the placement of new border wall identified in the FY 2018 budget, how many parcels of unacquired land have been identified?

(b)(5)

Question: Have the affected property owners been contacted and, if so, how?

(b)(5)

DRAFT

Question#:	3
Topic:	Northern Border
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: In March, an internal CBP memo regarding the hire of an additional 5,000 Border Patrol Agents referenced plans for staff distribution that were either "Threat & Need Based" or for the "Southwest Border Only." While I understand that most new Border Patrol Agents begin their careers at the southern border for training purposes, I am concerned that this memo contemplates a scenario where no additional new or existing agents are deployed to the northern border.

Has CBP selected either the "Threat & Need Based" or "Southwest Border Only" staffing option? Given an additional 5,000 Border Patrol Agents as called for in Executive Order 13767, how many additional Agents will Border Patrol assign to the northern border?

(b)(5)

Question#:	4
Topic:	Executive Order Reports
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On March 2, 2017, I requested all reports generated by Executive Orders 13767, "Border Security and Immigration Enforcement Improvements," 13768, "Enhancing Public Safety in the Interior of the United States," and 13769, "Protecting the Nation from Foreign Terrorist Entry into the United States" as soon as they are finalized. These reports include but are not limited to 90-day progress reports to the President regarding implementation of Executive Orders 13767 and 13768, both of which were due no later than April 25, 2017. To date, no reports required by the executive orders have been provided to the Committee. You stated in a letter dated June 9, 2017 that no reports have been generated under Executive Order 13769. You explained in your testimony that the ongoing litigation over Executive Order 13769 prevented the Department from completing these reports. With regard to Executive Orders 13767 and 13768, you stated that "DHS will work with the Committee to exchange information in a timely and appropriate manner."

Has DHS generated any reports, including but not limited to the 90-day progress reports that were required by Executive Orders 13767 and 13768? If so, for each report that has been generated in adherence with Executive Orders 13767 and 13768, please provide the date on which the reports were transmitted to the President.

Will you commit to providing the Committee with copies of all reports that have already been generated under Executive Orders 13767 and 13768, and will you commit to providing the Committee with copies of all future reports required by Executive Orders 13767 and 13768 when they are transmitted to the President?

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, The Washington Post published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding CBP's progress in implementing Executive Order 13767, I ask for:

A description of the initiatives CBP is implementing in order to expedite the hiring of additional personnel;

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: A description of CBP's plans for hiring additional CBP officers at our nation's ports of entry, given the statement in the draft progress report that "improving border security to prevent illegal immigration, drug and human trafficking, and acts of terror, also necessitates the hiring of additional CBP Officers"; and

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: The CBP-wide agency plan to expand the 287(g) program and enhance border security efforts with state and local law enforcement agencies.

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, *The Washington Post* published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding ICE's progress in implementing Executive Order 13767, I ask for:

The field guidance ICE issued to each of its operational programs on February 21, 2017;

(b)(5)

Question: A list of each detention facility where capacity has been added since January 25, 2017, the number of detention beds that have been added at each facility, and the name of each entity that operates each detention facility;

(b)(5)

Question: A list of the 27 potential locations capable of providing 21,000 additional bed spaces that ICE has identified.

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	7
Topic:	USCIS Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, The Washington Post published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding USCIS's progress in implementing Executive Order 13767, I ask for:

The revised – and unrevised – instructions on the proper application of the Trafficking Victims Protection Reauthorization Act (TVPRA);

(b)(5)

Question#:	7
Topic:	USCIS Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The report on the "vulnerabilities in the asylum program and steps to be taken to mitigate/eliminate such vulnerabilities" that was referenced in the draft progress report.

(b)(5)

DRAFT

Question#:	8
Topic:	OIG Funding
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2018 budget request would increase DHS's overall net discretionary budget authority by $2.8 billion - or 6.8 percent - compared to annualized levels contained in the FY 2017 Continuing Resolution (CR) while significantly reducing staffing and spending at the Office of Inspector General (OIG). The President requested a reduction of $3.2 million - or 2.3 percent - for the OIG compared to the FY 2017 CR. Compared to spending levels contained in the FY 2017 omnibus spending bill Congress approved in May, the President's request would reduce funding for the OIG by $17 million - or 9.7 percent.

Do you support the President's request to reduce funding for the OIG in FY 2018? Why or why not?

(b)(5)

Question: Do you believe that when the overall budget authority at DHS increases, the budget for the OIG should grow proportionally?

(b)(5)

Question#:	9
Topic:	Counterterrorism Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget request would reduce funding by more than $500 million for DHS programs intended to build state and local resilience to terrorist attacks. The proposed cuts include $156.1 million to the Urban Area Security Initiative (UASI), $117.6 million to the State Homeland Security Program (SHSP), $70.7 million to the Emergency Management Performance Grant (EMPG) program, $52.2 million to the Port Security Grant Program (PSGP), $52.2 million to the Transit Security Grant Program (TSGP), $45 million to the Law Enforcement Officer Reimbursement Program, $43 million for Visible Intermodal Prevention and Response (VIPR) teams, $39 million for the Complex Coordinated Terrorist Attacks (CCTA) program, and $10 million for the Countering Violent Extremism (CVE) grant program.

Given the number and magnitude of threats facing our country, do you support the President's request to reduce funding for these counterterrorism programs in FY 2018? Why or why not?

(b)(5)

Question#:	9
Topic:	Counterterrorism Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	10
Topic:	FEMA Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2018 budget request would reduce funding for the Federal Emergency Management Agency's (FEMA's) Pre-Disaster Mitigation (PDM) grant program by $41.1 million. This is a program that supports various initiatives aimed at mitigating against natural disasters before they occur, such as retrofitting public buildings against hurricane-force winds or seismic damage, acquiring and relocating properties out of flood-prone areas, elevating structures that lie within a floodplain, flood-proofing public buildings, managing vegetation to mitigate against wildfires, and constructing or converting public spaces into safe rooms in tornado-prone areas. Discretionary funding for the National Flood Insurance Program's (NFIP's) Flood Hazard Mapping and Risk Analysis Program (Risk MAP) would also be reduced by $189.6 million. Based on FEMA's map inventory, 98.8% of the U.S. population is covered by an existing flood map; however, many of the maps do not account for recent population growth and development and were produced using outdated technology.

Do you support the President's request to reduce funding for the PDM grant program and Risk MAP in FY 2018? Why or why not?

(b)(5)

Question#:	10
Topic:	FEMA Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	11
Topic:	Federal Air Marshals
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: To which countries have has the Federal Air Marshal Service provided training to develop or enhance its their own Air Marshal program? To any other countries? Please list the countries that have participated in the last year and the countries that will participate through 2018 and describe the training.

(b)(5)

DRAFT

Question#:	12
Topic:	Missouri REAL ID Legislation
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On June 12, 2017, Governor Eric Greitens signed legislation aimed at bringing the state of Missouri into compliance with the REAL ID Act of 2005. As DHS Secretary, you have the authority, once an extension is requested, to grant extensions to non-compliant states that have taken legislative action to come into compliance with the provisions of the REAL ID Act.

Have you or other DHS officials reviewed the legislation that Governor Greitens signed into law on June 12, 2017?

Do you intend to grant an extension to the state of Missouri once a request is made?

(b)(5)

DRAFT

Question#:	13
Topic:	Voter Integrity Commission
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Kansas Secretary of State Kris Kobach was quoted in The Kansas City Star on May 11, 2017 as saying that the Presidential Advisory Commission on Election Integrity, created by Executive Order 13799, would have full-time staff from the Office of the Vice President and the Department of Homeland Security.

Are you aware of any plans to staff the Presidential Advisory Commission on Election Integrity with DHS employees? If so, what office within DHS will staff the Commission, how many DHS employees will staff the Commission, and what is DHS's anticipated annual budget for the Commission?

(b)(5)

DRAFT

Question#:	14
Topic:	H-2B Visa Cap
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Under Section 543 of Division F of the FY 2017 omnibus spending legislation, you were given the authority, after consultation with the Secretary of Labor and upon determining that there are not American workers who are willing, qualified, and able to perform nonagricultural labor, to raise the annual cap on H-2B visas by an amount not exceeding the number of "returning workers" who were exempted from the H-2B cap in any previous fiscal year.

Have you determined whether you will raise the H-2B visa cap for the remainder of FY 2017? If so, how many additional H-2B visas will be available for the remainder of the fiscal year?

(b)(5)

DRAFT

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The U.S. Customs and Border Protections (CBP) complex mission to provide security, facilitate operations, and manage 328 ports of entry (POEs) throughout the country in partnership with the General Services Administration (GSA). In both 2010 and 2014, CBP provided the House Committee on Homeland Security, Subcommittee on Border and Maritime Security with a report, National Land Border Ports of Entry Assessment, which lists current POE infrastructure and explains their various needs.

Please provide an updated report if it is available. Please provide the below information if it is not provided in the updated report:

A list of all land POEs that includes:

Modes of access (truck or rail crossings) and current infrastructure (number of lanes or rail lines)

Annual commercial traffic volume by mode (truck and rail)

Average traffic crossing wait time (truck and rail)

Ownership structure (CBP, GSA, state or local government, private partnership)

A prioritized list of land POE commercial traffic infrastructure needs that includes:

Estimated costs for completion

Age of infrastructure since last refurbishment

Ongoing infrastructure projects

Land POE commercial traffic funding in the last 10 years, including:

Spending at CBP and GSA sites

Appropriations for CBP and GSA sites.

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	16
Topic:	Electronic Device Search Software
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Please provide a list of all electronic device search software that the Department has purchased from 2007 through the present. State the contract number for each purchase, the date of the purchase, and the name of the developer and seller of the software.

For all electronic device search software that DHS has purchased from 2007 to the present, please provide a detailed explanation of the Department's intended purpose in using the software, as well as any policies and guidelines that govern the potential use of the software.

(b)(5)

DRAFT

Question#:	17
Topic:	Physical Wall Investment
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Secretary Kelly, do you agree that a wall to secure the southern border of the United States may consist of fences, drones, towers, personnel, and/or hardware and software technologies to prevent illegal immigration, drug and human trafficking and acts of terrorism?

(b)(5)

Question: How will $1.59 billion investment in a physical wall advance this definition?

(b)(5)

DRAFT

Question#:	18
Topic:	Surveillance Technology
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: $197.2 million is proposed to provide southwest border technology, which is approximately 12% of $1.59 billion budget for a physical wall. According to your assessment, is this sufficient to provide the technological surveillance necessary to achieve a virtual wall that will more effectively secure our border?

(b)(5)

DRAFT

Question#:	19
Topic:	Border Patrol Agents
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: There are 18,000 Border Patrol agents. Last month, there were 12,000 apprehensions. That is less than 1 apprehension per agent over the entire month. With the number of apprehensions dropping, do we need an additional 5,000 Border Patrol agents rather than use those resources elsewhere to prevent the entry of manufactured narcotics?

(b)(5)

Question: With an increase in CBP officers, has there been an increase in effectiveness in preventing manufactured heroin from crossing the border and ports of entry?

(b)(5)

Question#:	19
Topic:	Border Patrol Agents
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	20
Topic:	Unaccompanied Minors
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: In fiscal year 2016, $750 million was appropriated to address root causes to deter and prevent children and families in the Northern Triangle from illegally immigrating to the U.S. Although a budget was drafted, there is no public data as to the effectiveness of the program and how the fund was allocated. How will the $7.94 billion budget request for immigration and customs enforcement address the issue of unaccompanied minors in the United States?

(b)(5)

Question#:	20
Topic:	Unaccompanied Minors
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	21
Topic:	Cyber Activities
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Our greatest collective frustration has been the lack of any direction from this administration or the lack on how we should be deterring our adversaries in cyberspace. With $971.3 million being budgeted for cyber activities, how could an overly strict interpretation of sovereignty limit or impair the Department of Defense's ability to plan or employ offensive cyber capabilities?

(b)(5)

Question#:	22
Topic:	NCCIC
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Additional $42.3 million is allocated to allow the National Cybersecurity and Communications Integration Center (NCCIC) to protect private sector entities through the Enhanced Cybersecurity Services program. What is the intersection between the civilian hub, National Cybersecurity and Communications Integration Center (NCCIC), Federal entities, and non-Federal entities, including the private sector?

(b)(5)

Question#:	23
Topic:	National Biodefense Analysis and Countermeasures Center
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget states that Science and Technology Directorate assesses that capabilities at the National Biodefense Analysis and Countermeasures Center (NBACC) can be replicated at other facilities. If NBACC is closed as proposed in the President's budget, which specific agencies or organizations will assume responsibility for supporting the threat characterization currently conducted by NBACC? Has DHS coordinated with these entities? Were similar determinations and plans made for the Chemical Security Analysis Center (CSAC)?

(b)(5)

Question#:	24
Topic:	NBACC Closure Plan
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand NBACC has already received notification that the organization should begin developing a closure plan. Given the dependency of any such closing on Congressional action, what steps are you planning to take, if any, regarding the closure of NBACC following the completion of the closure plan and prior to the completion of the Congressional authorization and appropriations process for FY2018?

(b)(5)

DRAFT

Question#:	25
Topic:	Polar Icebreaker Program
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: At the hearing you stated that the Coast Guard plans to buy six icebreakers, three heavy and three medium. Does the current acquisition plan of record for the Polar Icebreaker Program reflect this intention?

(b)(5)

Question: The Coast Guard Authorization Act of 2015 (Public Law 114-120), Section 207, POLAR ICEBREAKERS, states: "(a) INCREMENTAL FUNDING AUTHORIZED FOR POLAR ICEBREAKERS - In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of Polar Icebreakers and associated equipment using incremental funding."(§207(a)) This authorization provides the Coast Guard with the ability to enter into a contract or contracts to acquire as many new Polar Icebreakers as are required - as long as the Coast Guard uses the incremental funding acquisition process. I understand that the current Polar Icebreaker acquisition process now being executed by the Coast Guard does not take advantage of this authorization. What evaluation process occurred prior to the Coast Guard decision not to enter into a contract or contracts to acquire as many Polar Icebreakers as are required using the incremental acquisition process? Was a formal cost-evaluation completed to compare the existing Polar Icebreaker acquisition process and a block buy incremental acquisition process? If not, why not?

(b)(5)

Question#:	26
Topic:	Urban Area Security Initiative Allocations
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand that FEMA is conducting a review of the risk methodology used to determine Urban Area Security Initiative (UASI) allocations. What is the schedule for that review and what is the plan to incorporate Congressional and stakeholder input?

(b)(5)

DRAFT

Question#:	27
Topic:	St Elizabeths
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: For the last several years, I have been a strong advocate for the Department of Homeland Security's Headquarters Consolidation at St Elizabeths. I firmly believe that finishing the DHS headquarters would improve our national security, increase morale and productivity at the Department, and save money for the taxpayers.

The President's budget proposes $135 million for GSA's portion of DHS Consolidation at St Elizabeths but does not include DHS funding for new development at the site.

As you know, GSA is largely responsible for infrastructure investments at the site, while DHS is responsible for tenant renovations and improvements.

Can you please share your vision for Headquarters consolidation? Is the current funding request enough to keep the project on schedule?

(b)(5)

Question: Have other Administration infrastructure priorities for DHS, such as building a border wall, shifted resources away from DHS Headquarters consolidation at St. Es?

(b)(5)

Question#:	27
Topic:	St Elizabeths
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	28
Topic:	Cybersecurity Hiring
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Cybersecurity breaches, such as the "WannaCry" ransomware attack last month, are becoming more common and increasingly rely not on expensive or sophisticated technology, but on a combination of common software bugs and user error.

It is important that the Department have the resources it needs-including qualified cybersecurity professionals-to help work with private sector partners and federal agencies to detect, mitigate, and respond to such attacks.

Please provide an update on the Department's progress in hiring and training qualified cybersecurity professionals.

(b)(5)

Question#:	28
Topic:	Cybersecurity Hiring
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: What portion of the increased cybersecurity funding will go to building up DHS's cyber workforce?

(b)(5)

Question#:	29
Topic:	TSA VIPR Funding
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Last year in the wake of the attacks on the airport in Brussels, the Senate voted 91 to 5 for an amendment to double the number of TSA Visible Intermodal Prevention and Response, or VIPR teams. These teams patrol our airports and public transit spaces in order to deter and respond to terrorist attacks. The provision, which I worked on with a number of my colleagues including Senator Heinrich, was ultimately signed into law. Instead of funding the doubled teams, the President's FY2018 budget request cuts the number of VIPR teams to eight.

Please explain how this proposed cut is justified in light of increased attacks on soft targets.

(b)(5)

Question#:	30
Topic:	ICE Private Prisons
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Senator Harris and I sent a letter to DHS last month asking a number of questions about ICE's use of private, for-profit detention facilities.

As you know, an outside panel last year reviewed these facilities and found that these facilities are generally less safe than publicly run facilities, and made a number of recommendations for their improvement.

I believe we requested a reply to that letter by next week (June 12th). I have not a question for you but a request. Can you please commit to reviewing our letter carefully and providing a thorough response to our questions?

(b)(5)

DRAFT

From:	Friedmann, Pamela (b)(6) (b)(6)
To:	"Maier, Mark <(b)(6) (b)(6) "Scallan, James <(b)(6) (b)(6) "Biggs, Selden (b)(6) (b)(6)
CC:	"Lester-Saura, Victoria (b)(6) (b)(6) (b)(6) "Sobel, Ted <(b)(6) (b)(6)
Subject:	FW: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)
Date:	2017/07/27 13:01:28
Priority:	Normal
Type:	Note

More incoming!! See (b)(5)

Selden, please see (b)(5)

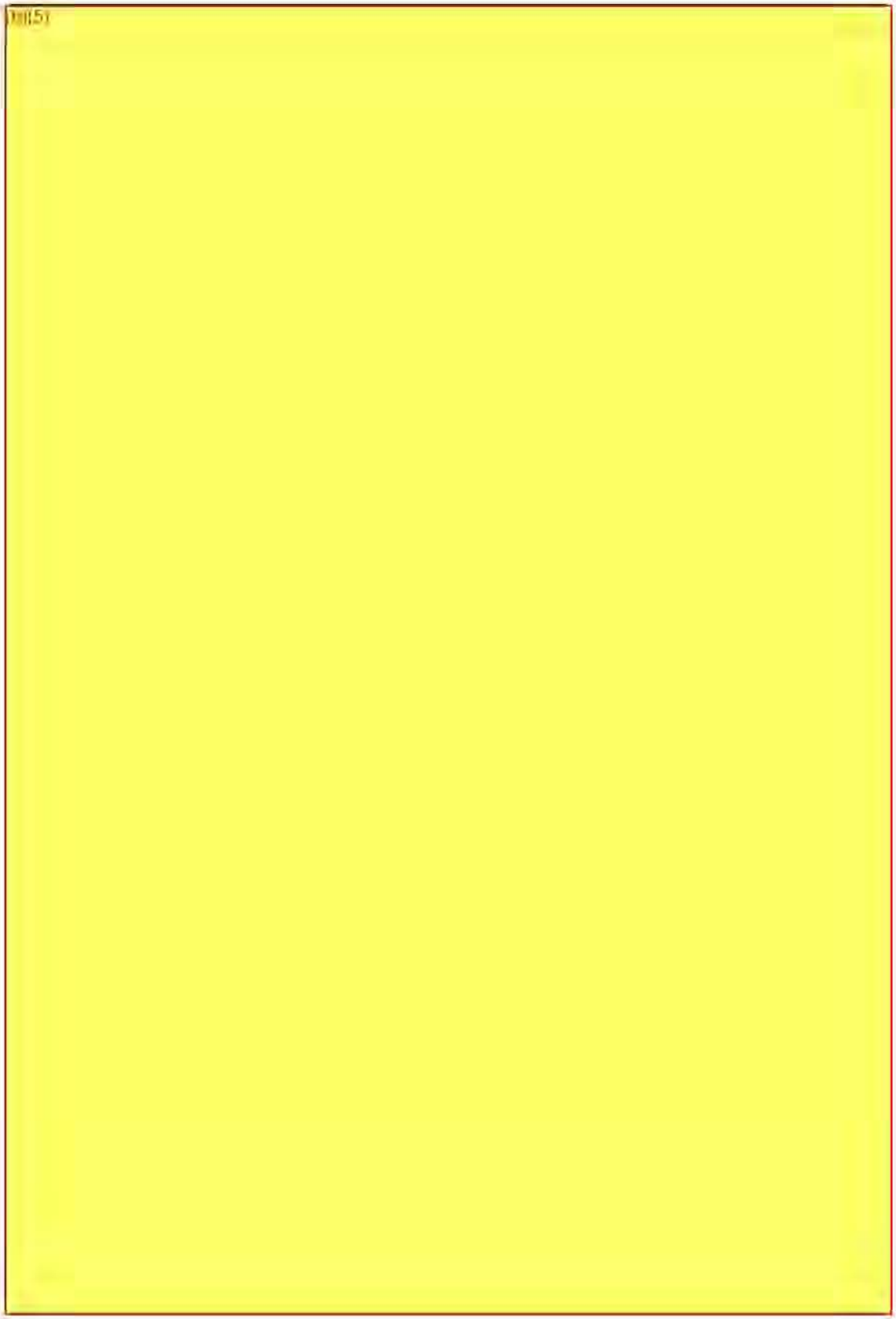
Please send consolidated comments back to me. Thank you.

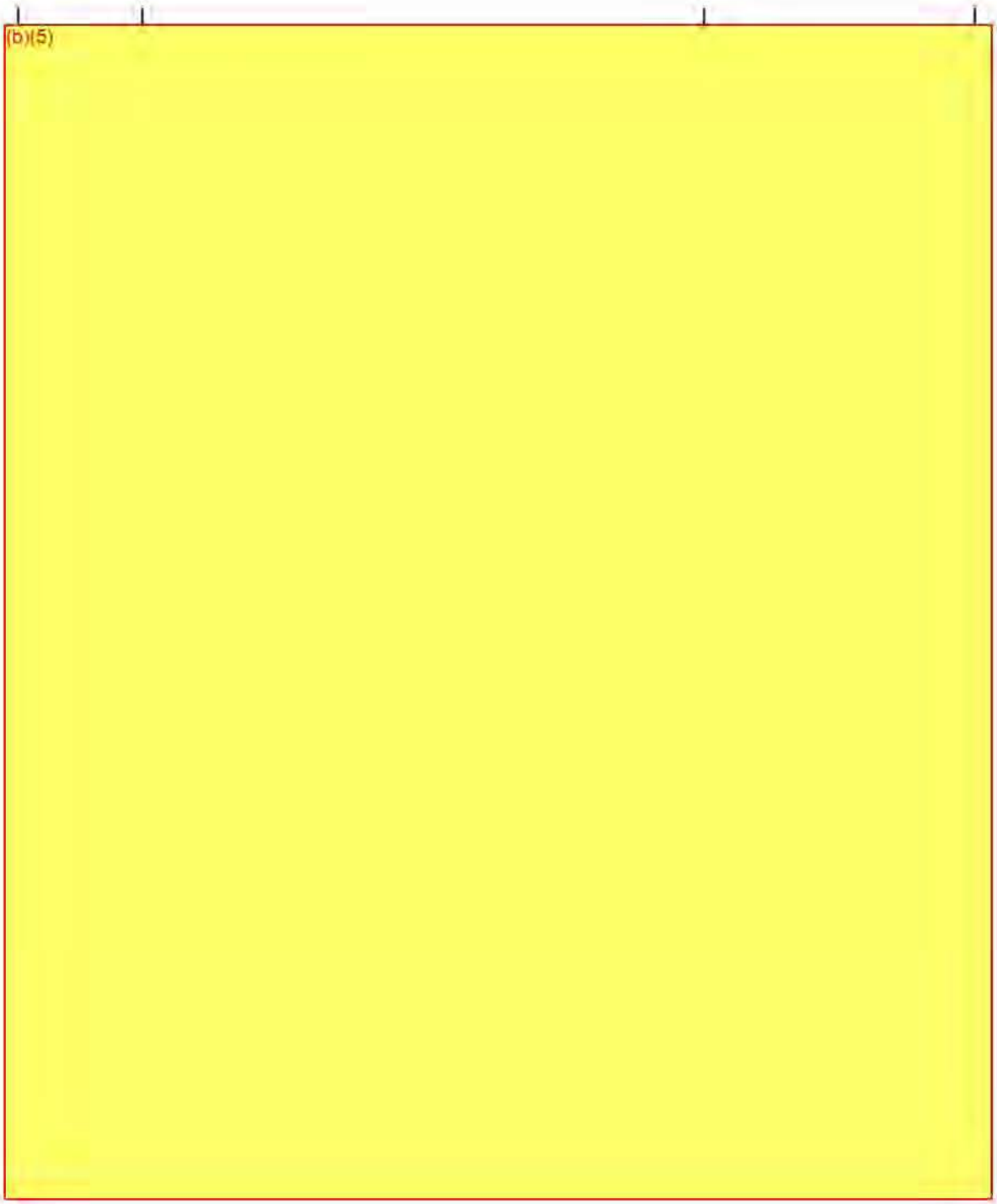
From: (b)(6) **On Behalf Of** Plcy Exec Sec
Sent: Thursday, July 27, 2017 12:56 PM
To: PLCY-SPAR Tasking <(b)(6)>; PLCY-BIT Tasking <(b)(6)>; PLCY-TPSP Tasking <(b)(6) (b)(6)>; PLCY-CIRTASKING <(b)(6) (b)(6)>
Cc: Immigration Policy <(b)(6)>; Law Enforcement Policy <(b)(6)>; Plcy Exec Sec <(b)(6)>; Americas <(b)(6)>
Subject: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

NOTE: ESEC sent set 2 of 2 earlier today.

All:

Please provide consolidated comments/clearance of the attached QFR set by 10am on Monday, July 31. To the extent possible, I've attempted to identify areas of purview to facilitate your review. However, we welcome your input on any responses you deem necessary. Thank you.





Hearing Date: June 6, 2017

Hearing Title: "The Department of Homeland Security Fiscal Year 2018 Budget Request"

DHS Witnesses: John Kelly – DHS Secretary

QFR Breakdown by Sen. /Rep.:

16 questions from Sen. McCaskill (D–MO)

6 questions from Sen. McCain (R–AZ)

4 questions from Sen. Portman (R–OH)

4 questions from Sen. Carper (D–DE)

(b)(6)
Office of Policy, Executive Secretariat
U.S. Department of Homeland Security
(b)(6)
JWICS: (b)(6)

Sender:	Friedmann, Pamela (b)(6) (b)(6)
Recipient:	"Maier, Mark <(b)(6) (b)(6) "Scallan, James <(b)(6) (b)(6) "Biggs, Selden <(b)(6) (b)(6) "Lester-Saura, Victoria <(b)(6) (b)(6) (b)(6) "Sobel, Ted <(b)(6) (b)(6)
Sent Date:	2017/07/27 13:01:27
Delivered Date:	2017/07/27 13:01:28

From:	Sobel, Ted <(b)(6) (b)(6)
To:	"Friedmann, Pamela (b)(6) (b)(6) ; "Plcy Exec Sec <(b)(6) (b)(6)
CC:	"Lester-Saura, Victoria (b)(6) (b)(6) "Biggs, Selden (b)(6) (b)(6) "Scallan, James <(b)(6) (b)(6) "Maier, Mark (b)(6) (b)(6)
Subject:	RE: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)
Date:	2017/07/28 11:21:25
Priority:	Normal
Type:	Note

(b)(6)

If there is still time to make a substitute, please use the attached version (b)(5)

Ted

From: Friedmann, Pamela
Sent: Thursday, July 27, 2017 5:12 PM
To: Plcy Exec Sec (b)(6) ; (b)(6)
Cc: Lester-Saura, Victoria <(b)(6) ; Sobel, Ted <(b)(6) (b)(6) Biggs, Selden (b)(6) >; Scallan, James <(b)(6) ; Maier, Mark (b)(6) >
Subject: RE: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

(b)(6)

SCO reviewed (b)(5) as per attached.
Thank you.
SCO team

From: (b)(6) **On Behalf Of** Plcy Exec Sec
Sent: Thursday, July 27, 2017 12:56 PM
To: PLCY-SPAR Tasking <(b)(6) PLCY-BIT Tasking <(b)(6) (b)(6) ; PLCY-TPSP Tasking <(b)(6) ; PLCY-CIRTASKING

(b)(6)

Cc: Immigration Policy <(b)(6); Law Enforcement Policy <(b)(6)>; Plcy Exec Sec <(b)(6); Americas

Subject: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

NOTE: ESEC sent set 2 of 2 earlier today.

All:

Please provide consolidated comments/clearance of the attached QFR set by 10am on Monday, July 31. To the extent possible, I've attempted to identify areas of purview to facilitate your review. However, we welcome your input on any responses you deem necessary. Thank you.

QFR	Topic	PLCY Lead; Sub
(b)(5)		

(b)(5)

Hearing Date: June 6, 2017
Hearing Title: "The Department of Homeland Security Fiscal Year 2018 Budget Request"
DHS Witnesses: John Kelly – DHS Secretary

QFR Breakdown by Sen. /Rep.:
16 questions from Sen. McCaskill (D–MO)
6 questions from Sen. McCain (R–AZ)
4 questions from Sen. Portman (R–OH)
4 questions from Sen. Carper (D–DE)

(b)(6)

Office of Policy, Executive Secretariat
U.S. Department of Homeland Security

(b)(6)

JWICS: (b)(6)

Sender:	Sobel, Ted </O=(b)(6) (b)(6)
Recipient:	"Friedmann, Pamela (b)(6) (b)(6) "Plcy Exec Sec (b)(6) (b)(6) "Lester-Saura, Victoria (b)(6) (b)(6) "Biggs, Selden (b)(6) (b)(6) "Scallan, James (b)(6) (b)(6) "Maier, Mark (b)(6) (b)(6)
Sent Date:	2017/07/28 11:21:23
Delivered Date:	2017/07/28 11:21:25

Question#:	1
Topic:	CBP's Congressional Justification
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: In testimony on April 5, 2017 you assured me that you would "absolutely" provide the Committee with a copy of the requests made by Border Patrol sector chiefs regarding where additional infrastructure and technology should be deployed along the Southwest border as soon as you received the requests. A month later, in a May 5 letter, I again requested "full copies of the prioritized operational requirements for border barrier that the Border Patrol has identified." According to U.S. Customs and Border Protection's (CBP's) Fiscal Year (FY) 2018 Congressional Justification, the very same document I requested and you assured me you would provide the Committee - the Southwest Border Capability Roadmap - was completed by U.S. Border Patrol in April 2017. According to CBP, the roadmap "identifies updated operational requirements needed to achieve operational control of the southern border" and was used to inform DHS's decision to spend $2.6 billion on 74 miles of border barrier along the Southwest border in addition to high-priority tactical infrastructure and border security technology improvements in FY 2018.

Is CBP's Congressional Justification accurate?

(b)(5)

Question#:	1
Topic:	CBP's Congressional Justification
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Was the Southwest Border Capability Roadmap completed in April 2017? If so, when will you provide the Committee with a copy of the Southwest Border Capability Roadmap?

(b)(5)

DRAFT

Question#:	2
Topic:	Unacquired Land
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: As it relates to land at issue in the placement of new border wall identified in the FY 2018 budget, how many parcels of unacquired land have been identified?

(b)(5)

Question: Have the affected property owners been contacted and, if so, how?

(b)(5)

DRAFT

Question#:	3
Topic:	Northern Border
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: In March, an internal CBP memo regarding the hire of an additional 5,000 Border Patrol Agents referenced plans for staff distribution that were either "Threat & Need Based" or for the "Southwest Border Only." While I understand that most new Border Patrol Agents begin their careers at the southern border for training purposes, I am concerned that this memo contemplates a scenario where no additional new or existing agents are deployed to the northern border.

Has CBP selected either the "Threat & Need Based" or "Southwest Border Only" staffing option? Given an additional 5,000 Border Patrol Agents as called for in Executive Order 13767, how many additional Agents will Border Patrol assign to the northern border?

(b)(5)

Question#:	4
Topic:	Executive Order Reports
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On March 2, 2017, I requested all reports generated by Executive Orders 13767, "Border Security and Immigration Enforcement Improvements," 13768, "Enhancing Public Safety in the Interior of the United States," and 13769, "Protecting the Nation from Foreign Terrorist Entry into the United States" as soon as they are finalized. These reports include but are not limited to 90-day progress reports to the President regarding implementation of Executive Orders 13767 and 13768, both of which were due no later than April 25, 2017. To date, no reports required by the executive orders have been provided to the Committee. You stated in a letter dated June 9, 2017 that no reports have been generated under Executive Order 13769. You explained in your testimony that the ongoing litigation over Executive Order 13769 prevented the Department from completing these reports. With regard to Executive Orders 13767 and 13768, you stated that "DHS will work with the Committee to exchange information in a timely and appropriate manner."

Has DHS generated any reports, including but not limited to the 90-day progress reports that were required by Executive Orders 13767 and 13768? If so, for each report that has been generated in adherence with Executive Orders 13767 and 13768, please provide the date on which the reports were transmitted to the President.

Will you commit to providing the Committee with copies of all reports that have already been generated under Executive Orders 13767 and 13768, and will you commit to providing the Committee with copies of all future reports required by Executive Orders 13767 and 13768 when they are transmitted to the President?

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, The Washington Post published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding CBP's progress in implementing Executive Order 13767, I ask for:

A description of the initiatives CBP is implementing in order to expedite the hiring of additional personnel;

(b)(5)

Entrance Examination:

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: A description of CBP's plans for hiring additional CBP officers at our nation's ports of entry, given the statement in the draft progress report that "improving border security to prevent illegal immigration, drug and human trafficking, and acts of terror, also necessitates the hiring of additional CBP Officers"; and

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: The CBP-wide agency plan to expand the 287(g) program and enhance border security efforts with state and local law enforcement agencies.

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, *The Washington Post* published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding ICE's progress in implementing Executive Order 13767, I ask for:

The field guidance ICE issued to each of its operational programs on February 21, 2017;

(b)(5)

Question: A list of each detention facility where capacity has been added since January 25, 2017, the number of detention beds that have been added at each facility, and the name of each entity that operates each detention facility;

(b)(5)

Question: A list of the 27 potential locations capable of providing 21,000 additional bed spaces that ICE has identified.

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	7
Topic:	USCIS Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, The Washington Post published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding USCIS's progress in implementing Executive Order 13767, I ask for:

The revised – and unrevised – instructions on the proper application of the Trafficking Victims Protection Reauthorization Act (TVPRA);

(b)(5)

Question#:	7
Topic:	USCIS Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The report on the "vulnerabilities in the asylum program and steps to be taken to mitigate/eliminate such vulnerabilities" that was referenced in the draft progress report.

(b)(5)

DRAFT

Question#:	8
Topic:	OIG Funding
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2018 budget request would increase DHS's overall net discretionary budget authority by $2.8 billion - or 6.8 percent - compared to annualized levels contained in the FY 2017 Continuing Resolution (CR) while significantly reducing staffing and spending at the Office of Inspector General (OIG). The President requested a reduction of $3.2 million - or 2.3 percent - for the OIG compared to the FY 2017 CR. Compared to spending levels contained in the FY 2017 omnibus spending bill Congress approved in May, the President's request would reduce funding for the OIG by $17 million - or 9.7 percent.

Do you support the President's request to reduce funding for the OIG in FY 2018? Why or why not?

(b)(5)

Question: Do you believe that when the overall budget authority at DHS increases, the budget for the OIG should grow proportionally?

(b)(5)

Question#:	9
Topic:	Counterterrorism Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget request would reduce funding by more than $500 million for DHS programs intended to build state and local resilience to terrorist attacks. The proposed cuts include $156.1 million to the Urban Area Security Initiative (UASI), $117.6 million to the State Homeland Security Program (SHSP), $70.7 million to the Emergency Management Performance Grant (EMPG) program, $52.2 million to the Port Security Grant Program (PSGP), $52.2 million to the Transit Security Grant Program (TSGP), $45 million to the Law Enforcement Officer Reimbursement Program, $43 million for Visible Intermodal Prevention and Response (VIPR) teams, $39 million for the Complex Coordinated Terrorist Attacks (CCTA) program, and $10 million for the Countering Violent Extremism (CVE) grant program.

Given the number and magnitude of threats facing our country, do you support the President's request to reduce funding for these counterterrorism programs in FY 2018? Why or why not?

(b)(5)

Question#:	9
Topic:	Counterterrorism Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	10
Topic:	FEMA Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2018 budget request would reduce funding for the Federal Emergency Management Agency's (FEMA's) Pre-Disaster Mitigation (PDM) grant program by $41.1 million. This is a program that supports various initiatives aimed at mitigating against natural disasters before they occur, such as retrofitting public buildings against hurricane-force winds or seismic damage, acquiring and relocating properties out of flood-prone areas, elevating structures that lie within a floodplain, flood-proofing public buildings, managing vegetation to mitigate against wildfires, and constructing or converting public spaces into safe rooms in tornado-prone areas. Discretionary funding for the National Flood Insurance Program's (NFIP's) Flood Hazard Mapping and Risk Analysis Program (Risk MAP) would also be reduced by $189.6 million. Based on FEMA's map inventory, 98.8% of the U.S. population is covered by an existing flood map; however, many of the maps do not account for recent population growth and development and were produced using outdated technology.

Do you support the President's request to reduce funding for the PDM grant program and Risk MAP in FY 2018? Why or why not?

(b)(5)

Question#:	10
Topic:	FEMA Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	11
Topic:	Federal Air Marshals
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: To which countries have has the Federal Air Marshal Service provided training to develop or enhance its their own Air Marshal program? To any other countries? Please list the countries that have participated in the last year and the countries that will participate through 2018 and describe the training.

(b)(5)

Question#:	12
Topic:	Missouri REAL ID Legislation
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On June 12, 2017, Governor Eric Greitens signed legislation aimed at bringing the state of Missouri into compliance with the REAL ID Act of 2005. As DHS Secretary, you have the authority, once an extension is requested, to grant extensions to non-compliant states that have taken legislative action to come into compliance with the provisions of the REAL ID Act.

Have you or other DHS officials reviewed the legislation that Governor Greitens signed into law on June 12, 2017?

Do you intend to grant an extension to the state of Missouri once a request is made?

(b)(5)

DRAFT

Question#:	13
Topic:	Voter Integrity Commission
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Kansas Secretary of State Kris Kobach was quoted in The Kansas City Star on May 11, 2017 as saying that the Presidential Advisory Commission on Election Integrity, created by Executive Order 13799, would have full-time staff from the Office of the Vice President and the Department of Homeland Security.

Are you aware of any plans to staff the Presidential Advisory Commission on Election Integrity with DHS employees? If so, what office within DHS will staff the Commission, how many DHS employees will staff the Commission, and what is DHS's anticipated annual budget for the Commission?

(b)(5)

DRAFT

Question#:	14
Topic:	H-2B Visa Cap
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Under Section 543 of Division F of the FY 2017 omnibus spending legislation, you were given the authority, after consultation with the Secretary of Labor and upon determining that there are not American workers who are willing, qualified, and able to perform nonagricultural labor, to raise the annual cap on H-2B visas by an amount not exceeding the number of "returning workers" who were exempted from the H-2B cap in any previous fiscal year.

Have you determined whether you will raise the H-2B visa cap for the remainder of FY 2017? If so, how many additional H-2B visas will be available for the remainder of the fiscal year?

(b)(5)

DRAFT

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The U.S. Customs and Border Protections (CBP) complex mission to provide security, facilitate operations, and manage 328 ports of entry (POEs) throughout the country in partnership with the General Services Administration (GSA). In both 2010 and 2014, CBP provided the House Committee on Homeland Security, Subcommittee on Border and Maritime Security with a report, National Land Border Ports of Entry Assessment, which lists current POE infrastructure and explains their various needs.

Please provide an updated report if it is available. Please provide the below information if it is not provided in the updated report:

A list of all land POEs that includes:

Modes of access (truck or rail crossings) and current infrastructure (number of lanes or rail lines)

Annual commercial traffic volume by mode (truck and rail)

Average traffic crossing wait time (truck and rail)

Ownership structure (CBP, GSA, state or local government, private partnership)

A prioritized list of land POE commercial traffic infrastructure needs that includes:

Estimated costs for completion

Age of infrastructure since last refurbishment

Ongoing infrastructure projects

Land POE commercial traffic funding in the last 10 years, including:

Spending at CBP and GSA sites

Appropriations for CBP and GSA sites.

(b)(5)

DRAFT

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	16
Topic:	Electronic Device Search Software
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Please provide a list of all electronic device search software that the Department has purchased from 2007 through the present. State the contract number for each purchase, the date of the purchase, and the name of the developer and seller of the software.

For all electronic device search software that DHS has purchased from 2007 to the present, please provide a detailed explanation of the Department's intended purpose in using the software, as well as any policies and guidelines that govern the potential use of the software.

(b)(5)

DRAFT

Question#:	17
Topic:	Physical Wall Investment
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Secretary Kelly, do you agree that a wall to secure the southern border of the United States may consist of fences, drones, towers, personnel, and/or hardware and software technologies to prevent illegal immigration, drug and human trafficking and acts of terrorism?

(b)(5)

Question: How will $1.59 billion investment in a physical wall advance this definition?

(b)(5)

DRAFT

Question#:	18
Topic:	Surveillance Technology
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: $197.2 million is proposed to provide southwest border technology, which is approximately 12% of $1.59 billion budget for a physical wall. According to your assessment, is this sufficient to provide the technological surveillance necessary to achieve a virtual wall that will more effectively secure our border?

(b)(5)

DRAFT

Question#:	19
Topic:	Border Patrol Agents
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: There are 18,000 Border Patrol agents. Last month, there were 12,000 apprehensions. That is less than 1 apprehension per agent over the entire month. With the number of apprehensions dropping, do we need an additional 5,000 Border Patrol agents rather than use those resources elsewhere to prevent the entry of manufactured narcotics?

(b)(5)

Question: With an increase in CBP officers, has there been an increase in effectiveness in preventing manufactured heroin from crossing the border and ports of entry?

(b)(5)

Question#:	19
Topic:	Border Patrol Agents
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	20
Topic:	Unaccompanied Minors
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: In fiscal year 2016, $750 million was appropriated to address root causes to deter and prevent children and families in the Northern Triangle from illegally immigrating to the U.S. Although a budget was drafted, there is no public data as to the effectiveness of the program and how the fund was allocated. How will the $7.94 billion budget request for immigration and customs enforcement address the issue of unaccompanied minors in the United States?

(b)(5)

Question#:	20
Topic:	Unaccompanied Minors
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	21
Topic:	Cyber Activities
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Our greatest collective frustration has been the lack of any direction from this administration or the lack on how we should be deterring our adversaries in cyberspace. With $971.3 million being budgeted for cyber activities, how could an overly strict interpretation of sovereignty limit or impair the Department of Defense's ability to plan or employ offensive cyber capabilities?

(b)(5)

Question#:	22
Topic:	NCCIC
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Additional $42.3 million is allocated to allow the National Cybersecurity and Communications Integration Center (NCCIC) to protect private sector entities through the Enhanced Cybersecurity Services program. What is the intersection between the civilian hub, National Cybersecurity and Communications Integration Center (NCCIC), Federal entities, and non-Federal entities, including the private sector?

(b)(5)

Question#:	23
Topic:	National Biodefense Analysis and Countermeasures Center
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget states that Science and Technology Directorate assesses that capabilities at the National Biodefense Analysis and Countermeasures Center (NBACC) can be replicated at other facilities. If NBACC is closed as proposed in the President's budget, which specific agencies or organizations will assume responsibility for supporting the threat characterization currently conducted by NBACC? Has DHS coordinated with these entities? Were similar determinations and plans made for the Chemical Security Analysis Center (CSAC)?

(b)(5)

Question#:	24
Topic:	NBACC Closure Plan
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand NBACC has already received notification that the organization should begin developing a closure plan. Given the dependency of any such closing on Congressional action, what steps are you planning to take, if any, regarding the closure of NBACC following the completion of the closure plan and prior to the completion of the Congressional authorization and appropriations process for FY2018?

(b)(5)

DRAFT

Question#:	25
Topic:	Polar Icebreaker Program
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: At the hearing you stated that the Coast Guard plans to buy six icebreakers, three heavy and three medium. Does the current acquisition plan of record for the Polar Icebreaker Program reflect this intention?

(b)(5)

Question: The Coast Guard Authorization Act of 2015 (Public Law 114-120), Section 207, POLAR ICEBREAKERS, states: "(a) INCREMENTAL FUNDING AUTHORIZED FOR POLAR ICEBREAKERS - In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of Polar Icebreakers and associated equipment using incremental funding."(§207(a)) This authorization provides the Coast Guard with the ability to enter into a contract or contracts to acquire as many new Polar Icebreakers as are required - as long as the Coast Guard uses the incremental funding acquisition process. I understand that the current Polar Icebreaker acquisition process now being executed by the Coast Guard does not take advantage of this authorization. What evaluation process occurred prior to the Coast Guard decision not to enter into a contract or contracts to acquire as many Polar Icebreakers as are required using the incremental acquisition process? Was a formal cost-evaluation completed to compare the existing Polar Icebreaker acquisition process and a block buy incremental acquisition process? If not, why not?

(b)(5)

Question#:	26
Topic:	Urban Area Security Initiative Allocations
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand that FEMA is conducting a review of the risk methodology used to determine Urban Area Security Initiative (UASI) allocations. What is the schedule for that review and what is the plan to incorporate Congressional and stakeholder input?

(b)(5)

DRAFT

Question#:	27
Topic:	St Elizabeths
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: For the last several years, I have been a strong advocate for the Department of Homeland Security's Headquarters Consolidation at St Elizabeths. I firmly believe that finishing the DHS headquarters would improve our national security, increase morale and productivity at the Department, and save money for the taxpayers.

The President's budget proposes $135 million for GSA's portion of DHS Consolidation at St Elizabeths but does not include DHS funding for new development at the site.

As you know, GSA is largely responsible for infrastructure investments at the site, while DHS is responsible for tenant renovations and improvements.

Can you please share your vision for Headquarters consolidation? Is the current funding request enough to keep the project on schedule?

(b)(5)

Question: Have other Administration infrastructure priorities for DHS, such as building a border wall, shifted resources away from DHS Headquarters consolidation at St. Es?

(b)(5)

Question#:	27
Topic:	St Elizabeths
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	28
Topic:	Cybersecurity Hiring
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Cybersecurity breaches, such as the "WannaCry" ransomware attack last month, are becoming more common and increasingly rely not on expensive or sophisticated technology, but on a combination of common software bugs and user error.

It is important that the Department have the resources it needs-including qualified cybersecurity professionals-to help work with private sector partners and federal agencies to detect, mitigate, and respond to such attacks.

Please provide an update on the Department's progress in hiring and training qualified cybersecurity professionals.

(b)(5)

Question#:	28
Topic:	Cybersecurity Hiring
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: What portion of the increased cybersecurity funding will go to building up DHS's cyber workforce?

(b)(5)

Question#:	29
Topic:	TSA VIPR Funding
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Last year in the wake of the attacks on the airport in Brussels, the Senate voted 91 to 5 for an amendment to double the number of TSA Visible Intermodal Prevention and Response, or VIPR teams. These teams patrol our airports and public transit spaces in order to deter and respond to terrorist attacks. The provision, which I worked on with a number of my colleagues including Senator Heinrich, was ultimately signed into law. Instead of funding the doubled teams, the President's FY2018 budget request cuts the number of VIPR teams to eight.

Please explain how this proposed cut is justified in light of increased attacks on soft targets.

(b)(5)

Question#:	30
Topic:	ICE Private Prisons
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Senator Harris and I sent a letter to DHS last month asking a number of questions about ICE's use of private, for-profit detention facilities.

As you know, an outside panel last year reviewed these facilities and found that these facilities are generally less safe than publicly run facilities, and made a number of recommendations for their improvement.

I believe we requested a reply to that letter by next week (June 12th). I have not a question for you but a request. Can you please commit to reviewing our letter carefully and providing a thorough response to our questions?

(b)(5)

DRAFT

From:	Friedmann, Pamela (b)(6) (b)(6)
To:	"Plcy Exec Sec <(b)(6) (b)(6)
CC:	"Lester-Saura, Victoria (b)(6) (b)(6) "Sobel, Ted (b)(6) (b)(6) "Biggs, Selden (b)(6) (b)(6) "Scallan, James (b)(6) (b)(6) "Maier, Mark <(b)(6) (b)(6)
Subject:	RE: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)
Date:	2017/07/27 17:11:53
Priority:	Normal
Type:	Note

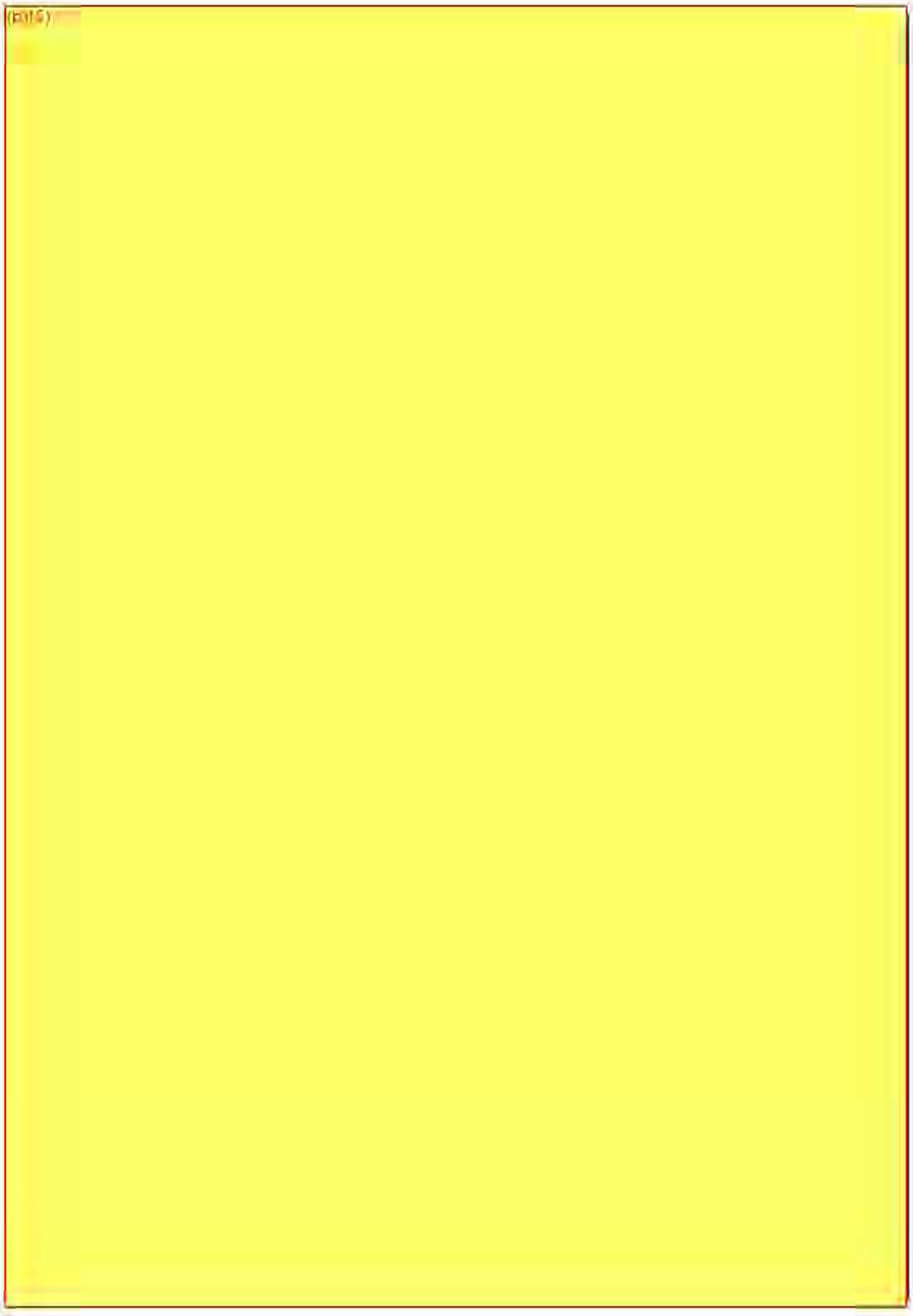
(b)(6)
SCO reviewed (b)(5) as per attached.
Thank you.
SCO team

From: (b)(6) **On Behalf Of** Plcy Exec Sec
Sent: Thursday, July 27, 2017 12:56 PM
To: PLCY-SPAR Tasking <(b)(6)>; PLCY-BIT Tasking <(b)(6)>; PLCY-TPSP Tasking <PLCY-(b)(6) PLCY-CIRTASKING <PLCY-(b)(6)>
Cc: Immigration Policy <(b)(6)>; Law Enforcement Policy (b)(6); Plcy Exec Sec (b)(6) Americas <(b)(6)>
Subject: Due 10AM 7/31: [QFR Comment/Clearance] 6/6/17 HSGAC Hearing "DHS FY 2018 Budget Request - Set 1 of 2 (WF 1145721)

NOTE: ESEC sent set 2 of 2 earlier today.

All:

Please provide consolidated comments/clearance of the attached QFR set by 10am on Monday, July 31. To the extent possible, I've attempted to identify areas of purview to facilitate your review. However, we welcome your input on any responses you deem necessary. Thank you.



(b)(5)

Hearing Date: June 6, 2017

Hearing Title: "The Department of Homeland Security Fiscal Year 2018 Budget Request"

DHS Witnesses: John Kelly – DHS Secretary

QFR Breakdown by Sen. /Rep.:

16 questions from Sen. McCaskill (D–MO)

6 questions from Sen. McCain (R–AZ)

4 questions from Sen. Portman (R–OH)

4 questions from Sen. Carper (D–DE)

(b)(6)
Office of Policy, Executive Secretariat
U.S. Department of Homeland Security
(b)(6)
JWICS: (b)(6)

Sender:	Friedmann, Pamela (b)(6) (b)(6)
Recipient:	"Plcy Exec Sec (b)(6) (b)(6) "Lester-Saura, Victoria (b)(6) (b)(6) "Sobel, Ted (b)(6) (b)(6) "Biggs, Selden (b)(6) (b)(6) "Scallan, Jame (b)(6) (b)(6) "Maier, Mark (b)(6) (b)(6)
Sent Date:	2017/07/27 17:11:53

Question#:	1
Topic:	CBP's Congressional Justification
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: In testimony on April 5, 2017 you assured me that you would "absolutely" provide the Committee with a copy of the requests made by Border Patrol sector chiefs regarding where additional infrastructure and technology should be deployed along the Southwest border as soon as you received the requests. A month later, in a May 5 letter, I again requested "full copies of the prioritized operational requirements for border barrier that the Border Patrol has identified." According to U.S. Customs and Border Protection's (CBP's) Fiscal Year (FY) 2018 Congressional Justification, the very same document I requested and you assured me you would provide the Committee - the Southwest Border Capability Roadmap - was completed by U.S. Border Patrol in April 2017. According to CBP, the roadmap "identifies updated operational requirements needed to achieve operational control of the southern border" and was used to inform DHS's decision to spend $2.6 billion on 74 miles of border barrier along the Southwest border in addition to high-priority tactical infrastructure and border security technology improvements in FY 2018.

Is CBP's Congressional Justification accurate?

(b)(5)

Question#:	1
Topic:	CBP's Congressional Justification
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Was the Southwest Border Capability Roadmap completed in April 2017? If so, when will you provide the Committee with a copy of the Southwest Border Capability Roadmap?

(b)(5)

DRAFT

Question#:	2
Topic:	Unacquired Land
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: As it relates to land at issue in the placement of new border wall identified in the FY 2018 budget, how many parcels of unacquired land have been identified?

(b)(5)

Question: Have the affected property owners been contacted and, if so, how?

(b)(5)

DRAFT

Question#:	3
Topic:	Northern Border
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: In March, an internal CBP memo regarding the hire of an additional 5,000 Border Patrol Agents referenced plans for staff distribution that were either "Threat & Need Based" or for the "Southwest Border Only." While I understand that most new Border Patrol Agents begin their careers at the southern border for training purposes, I am concerned that this memo contemplates a scenario where no additional new or existing agents are deployed to the northern border.

Has CBP selected either the "Threat & Need Based" or "Southwest Border Only" staffing option? Given an additional 5,000 Border Patrol Agents as called for in Executive Order 13767, how many additional Agents will Border Patrol assign to the northern border?

(b)(5)

Question#:	4
Topic:	Executive Order Reports
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On March 2, 2017, I requested all reports generated by Executive Orders 13767, "Border Security and Immigration Enforcement Improvements," 13768, "Enhancing Public Safety in the Interior of the United States," and 13769, "Protecting the Nation from Foreign Terrorist Entry into the United States" as soon as they are finalized. These reports include but are not limited to 90-day progress reports to the President regarding implementation of Executive Orders 13767 and 13768, both of which were due no later than April 25, 2017. To date, no reports required by the executive orders have been provided to the Committee. You stated in a letter dated June 9, 2017 that no reports have been generated under Executive Order 13769. You explained in your testimony that the ongoing litigation over Executive Order 13769 prevented the Department from completing these reports. With regard to Executive Orders 13767 and 13768, you stated that "DHS will work with the Committee to exchange information in a timely and appropriate manner."

Has DHS generated any reports, including but not limited to the 90-day progress reports that were required by Executive Orders 13767 and 13768? If so, for each report that has been generated in adherence with Executive Orders 13767 and 13768, please provide the date on which the reports were transmitted to the President.

Will you commit to providing the Committee with copies of all reports that have already been generated under Executive Orders 13767 and 13768, and will you commit to providing the Committee with copies of all future reports required by Executive Orders 13767 and 13768 when they are transmitted to the President?

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, The Washington Post published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding CBP's progress in implementing Executive Order 13767, I ask for:

A description of the initiatives CBP is implementing in order to expedite the hiring of additional personnel;

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: A description of CBP's plans for hiring additional CBP officers at our nation's ports of entry, given the statement in the draft progress report that "improving border security to prevent illegal immigration, drug and human trafficking, and acts of terror, also necessitates the hiring of additional CBP Officers"; and

(b)(5)

Question#:	5
Topic:	CBP's Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: The CBP-wide agency plan to expand the 287(g) program and enhance border security efforts with state and local law enforcement agencies.

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, *The Washington Post* published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding ICE's progress in implementing Executive Order 13767, I ask for:

The field guidance ICE issued to each of its operational programs on February 21, 2017;

(b)(5)

Question: A list of each detention facility where capacity has been added since January 25, 2017, the number of detention beds that have been added at each facility, and the name of each entity that operates each detention facility;

(b)(5)

Question: A list of the 27 potential locations capable of providing 21,000 additional bed spaces that ICE has identified.

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	6
Topic:	ICE Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	7
Topic:	USCIS Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On April 12, 2017, The Washington Post published an article citing a draft version of the 90-day progress report required under Executive Order 13767. The draft report described CBP's, Immigration and Customs Enforcement's (ICE's), and U.S. Citizenship and Immigration Services' (USCIS's) progress in updating operational programs, deploying additional detention facilities, hiring 15,000 Border Patrol agents and immigration officers, entering into 287(g) agreements with state and local law enforcement agencies, and responding to requests for asylum.

Regarding USCIS's progress in implementing Executive Order 13767, I ask for:

The revised – and unrevised – instructions on the proper application of the Trafficking Victims Protection Reauthorization Act (TVPRA);

(b)(5)

Question#:	7
Topic:	USCIS Progress
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The report on the "vulnerabilities in the asylum program and steps to be taken to mitigate/eliminate such vulnerabilities" that was referenced in the draft progress report.

(b)(5)

DRAFT

Question#:	8
Topic:	OIG Funding
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2018 budget request would increase DHS's overall net discretionary budget authority by $2.8 billion - or 6.8 percent - compared to annualized levels contained in the FY 2017 Continuing Resolution (CR) while significantly reducing staffing and spending at the Office of Inspector General (OIG). The President requested a reduction of $3.2 million - or 2.3 percent - for the OIG compared to the FY 2017 CR. Compared to spending levels contained in the FY 2017 omnibus spending bill Congress approved in May, the President's request would reduce funding for the OIG by $17 million - or 9.7 percent.

Do you support the President's request to reduce funding for the OIG in FY 2018? Why or why not?

(b)(5)

Question: Do you believe that when the overall budget authority at DHS increases, the budget for the OIG should grow proportionally?

(b)(5)

Question#:	9
Topic:	Counterterrorism Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget request would reduce funding by more than $500 million for DHS programs intended to build state and local resilience to terrorist attacks. The proposed cuts include $156.1 million to the Urban Area Security Initiative (UASI), $117.6 million to the State Homeland Security Program (SHSP), $70.7 million to the Emergency Management Performance Grant (EMPG) program, $52.2 million to the Port Security Grant Program (PSGP), $52.2 million to the Transit Security Grant Program (TSGP), $45 million to the Law Enforcement Officer Reimbursement Program, $43 million for Visible Intermodal Prevention and Response (VIPR) teams, $39 million for the Complex Coordinated Terrorist Attacks (CCTA) program, and $10 million for the Countering Violent Extremism (CVE) grant program.

Given the number and magnitude of threats facing our country, do you support the President's request to reduce funding for these counterterrorism programs in FY 2018? Why or why not?

(b)(5)

Question#:	9
Topic:	Counterterrorism Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	10
Topic:	FEMA Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2018 budget request would reduce funding for the Federal Emergency Management Agency's (FEMA's) Pre-Disaster Mitigation (PDM) grant program by $41.1 million. This is a program that supports various initiatives aimed at mitigating against natural disasters before they occur, such as retrofitting public buildings against hurricane-force winds or seismic damage, acquiring and relocating properties out of flood-prone areas, elevating structures that lie within a floodplain, flood-proofing public buildings, managing vegetation to mitigate against wildfires, and constructing or converting public spaces into safe rooms in tornado-prone areas. Discretionary funding for the National Flood Insurance Program's (NFIP's) Flood Hazard Mapping and Risk Analysis Program (Risk MAP) would also be reduced by $189.6 million. Based on FEMA's map inventory, 98.8% of the U.S. population is covered by an existing flood map; however, many of the maps do not account for recent population growth and development and were produced using outdated technology.

Do you support the President's request to reduce funding for the PDM grant program and Risk MAP in FY 2018? Why or why not?

(b)(5)

Question#:	10
Topic:	FEMA Grants
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	11
Topic:	Federal Air Marshals
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: To which countries have has the Federal Air Marshal Service provided training to develop or enhance its their own Air Marshal program? To any other countries? Please list the countries that have participated in the last year and the countries that will participate through 2018 and describe the training.

(b)(5)

Question#:	12
Topic:	Missouri REAL ID Legislation
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: On June 12, 2017, Governor Eric Greitens signed legislation aimed at bringing the state of Missouri into compliance with the REAL ID Act of 2005. As DHS Secretary, you have the authority, once an extension is requested, to grant extensions to non-compliant states that have taken legislative action to come into compliance with the provisions of the REAL ID Act.

Have you or other DHS officials reviewed the legislation that Governor Greitens signed into law on June 12, 2017?

Do you intend to grant an extension to the state of Missouri once a request is made?

(b)(5)

DRAFT

Question#:	13
Topic:	Voter Integrity Commission
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Kansas Secretary of State Kris Kobach was quoted in The Kansas City Star on May 11, 2017 as saying that the Presidential Advisory Commission on Election Integrity, created by Executive Order 13799, would have full-time staff from the Office of the Vice President and the Department of Homeland Security.

Are you aware of any plans to staff the Presidential Advisory Commission on Election Integrity with DHS employees? If so, what office within DHS will staff the Commission, how many DHS employees will staff the Commission, and what is DHS's anticipated annual budget for the Commission?

(b)(5)

DRAFT

Question#:	14
Topic:	H-2B Visa Cap
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Under Section 543 of Division F of the FY 2017 omnibus spending legislation, you were given the authority, after consultation with the Secretary of Labor and upon determining that there are not American workers who are willing, qualified, and able to perform nonagricultural labor, to raise the annual cap on H-2B visas by an amount not exceeding the number of "returning workers" who were exempted from the H-2B cap in any previous fiscal year.

Have you determined whether you will raise the H-2B visa cap for the remainder of FY 2017? If so, how many additional H-2B visas will be available for the remainder of the fiscal year?

(b)(5)

DRAFT

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The U.S. Customs and Border Protections (CBP) complex mission to provide security, facilitate operations, and manage 328 ports of entry (POEs) throughout the country in partnership with the General Services Administration (GSA). In both 2010 and 2014, CBP provided the House Committee on Homeland Security, Subcommittee on Border and Maritime Security with a report, National Land Border Ports of Entry Assessment, which lists current POE infrastructure and explains their various needs.

Please provide an updated report if it is available. Please provide the below information if it is not provided in the updated report:

A list of all land POEs that includes:

Modes of access (truck or rail crossings) and current infrastructure (number of lanes or rail lines)

Annual commercial traffic volume by mode (truck and rail)

Average traffic crossing wait time (truck and rail)

Ownership structure (CBP, GSA, state or local government, private partnership)

A prioritized list of land POE commercial traffic infrastructure needs that includes:

Estimated costs for completion

Age of infrastructure since last refurbishment

Ongoing infrastructure projects

Land POE commercial traffic funding in the last 10 years, including:

Spending at CBP and GSA sites

Appropriations for CBP and GSA sites.

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	15
Topic:	Land Ports of Entry Report
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question#:	16
Topic:	Electronic Device Search Software
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Please provide a list of all electronic device search software that the Department has purchased from 2007 through the present. State the contract number for each purchase, the date of the purchase, and the name of the developer and seller of the software.

For all electronic device search software that DHS has purchased from 2007 to the present, please provide a detailed explanation of the Department's intended purpose in using the software, as well as any policies and guidelines that govern the potential use of the software.

(b)(5)

DRAFT

Question#:	17
Topic:	Physical Wall Investment
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Secretary Kelly, do you agree that a wall to secure the southern border of the United States may consist of fences, drones, towers, personnel, and/or hardware and software technologies to prevent illegal immigration, drug and human trafficking and acts of terrorism?

(b)(5)

Question: How will $1.59 billion investment in a physical wall advance this definition?

(b)(5)

DRAFT

Question#:	18
Topic:	Surveillance Technology
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: $197.2 million is proposed to provide southwest border technology, which is approximately 12% of $1.59 billion budget for a physical wall. According to your assessment, is this sufficient to provide the technological surveillance necessary to achieve a virtual wall that will more effectively secure our border?

(b)(5)

DRAFT

Question#:	19
Topic:	Border Patrol Agents
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: There are 18,000 Border Patrol agents. Last month, there were 12,000 apprehensions. That is less than 1 apprehension per agent over the entire month. With the number of apprehensions dropping, do we need an additional 5,000 Border Patrol agents rather than use those resources elsewhere to prevent the entry of manufactured narcotics?

(b)(5)

Question: With an increase in CBP officers, has there been an increase in effectiveness in preventing manufactured heroin from crossing the border and ports of entry?

(b)(5)

Question#:	19
Topic:	Border Patrol Agents
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	20
Topic:	Unaccompanied Minors
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: In fiscal year 2016, $750 million was appropriated to address root causes to deter and prevent children and families in the Northern Triangle from illegally immigrating to the U.S. Although a budget was drafted, there is no public data as to the effectiveness of the program and how the fund was allocated. How will the $7.94 billion budget request for immigration and customs enforcement address the issue of unaccompanied minors in the United States?

(b)(5)

Question#:	20
Topic:	Unaccompanied Minors
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	21
Topic:	Cyber Activities
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Our greatest collective frustration has been the lack of any direction from this administration or the lack on how we should be deterring our adversaries in cyberspace. With $971.3 million being budgeted for cyber activities, how could an overly strict interpretation of sovereignty limit or impair the Department of Defense's ability to plan or employ offensive cyber capabilities?

(b)(5)

Question#:	22
Topic:	NCCIC
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable John McCain
Committee:	HOMELAND SECURITY (SENATE)

Question: Additional $42.3 million is allocated to allow the National Cybersecurity and Communications Integration Center (NCCIC) to protect private sector entities through the Enhanced Cybersecurity Services program. What is the intersection between the civilian hub, National Cybersecurity and Communications Integration Center (NCCIC), Federal entities, and non-Federal entities, including the private sector?

(b)(5)

Question#:	23
Topic:	National Biodefense Analysis and Countermeasures Center
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget states that Science and Technology Directorate assesses that capabilities at the National Biodefense Analysis and Countermeasures Center (NBACC) can be replicated at other facilities. If NBACC is closed as proposed in the President's budget, which specific agencies or organizations will assume responsibility for supporting the threat characterization currently conducted by NBACC? Has DHS coordinated with these entities? Were similar determinations and plans made for the Chemical Security Analysis Center (CSAC)?

(b)(5)

Question#:	24
Topic:	NBACC Closure Plan
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand NBACC has already received notification that the organization should begin developing a closure plan. Given the dependency of any such closing on Congressional action, what steps are you planning to take, if any, regarding the closure of NBACC following the completion of the closure plan and prior to the completion of the Congressional authorization and appropriations process for FY2018?

(b)(5)

DRAFT

Question#:	25
Topic:	Polar Icebreaker Program
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: At the hearing you stated that the Coast Guard plans to buy six icebreakers, three heavy and three medium. Does the current acquisition plan of record for the Polar Icebreaker Program reflect this intention?

(b)(5)

Question: The Coast Guard Authorization Act of 2015 (Public Law 114-120), Section 207, POLAR ICEBREAKERS, states: "(a) INCREMENTAL FUNDING AUTHORIZED FOR POLAR ICEBREAKERS - In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of Polar Icebreakers and associated equipment using incremental funding."(§207(a)) This authorization provides the Coast Guard with the ability to enter into a contract or contracts to acquire as many new Polar Icebreakers as are required - as long as the Coast Guard uses the incremental funding acquisition process. I understand that the current Polar Icebreaker acquisition process now being executed by the Coast Guard does not take advantage of this authorization. What evaluation process occurred prior to the Coast Guard decision not to enter into a contract or contracts to acquire as many Polar Icebreakers as are required using the incremental acquisition process? Was a formal cost-evaluation completed to compare the existing Polar Icebreaker acquisition process and a block buy incremental acquisition process? If not, why not?

(b)(5)

Question#:	26
Topic:	Urban Area Security Initiative Allocations
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand that FEMA is conducting a review of the risk methodology used to determine Urban Area Security Initiative (UASI) allocations. What is the schedule for that review and what is the plan to incorporate Congressional and stakeholder input?

(b)(5)

DRAFT

Question#:	27
Topic:	St Elizabeths
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: For the last several years, I have been a strong advocate for the Department of Homeland Security's Headquarters Consolidation at St Elizabeths. I firmly believe that finishing the DHS headquarters would improve our national security, increase morale and productivity at the Department, and save money for the taxpayers.

The President's budget proposes $135 million for GSA's portion of DHS Consolidation at St Elizabeths but does not include DHS funding for new development at the site.

As you know, GSA is largely responsible for infrastructure investments at the site, while DHS is responsible for tenant renovations and improvements.

Can you please share your vision for Headquarters consolidation? Is the current funding request enough to keep the project on schedule?

(b)(5)

Question: Have other Administration infrastructure priorities for DHS, such as building a border wall, shifted resources away from DHS Headquarters consolidation at St. Es?

(b)(5)

Question#:	27
Topic:	St Elizabeths
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

DRAFT

Question#:	28
Topic:	Cybersecurity Hiring
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Cybersecurity breaches, such as the "WannaCry" ransomware attack last month, are becoming more common and increasingly rely not on expensive or sophisticated technology, but on a combination of common software bugs and user error.

It is important that the Department have the resources it needs-including qualified cybersecurity professionals-to help work with private sector partners and federal agencies to detect, mitigate, and respond to such attacks.

Please provide an update on the Department's progress in hiring and training qualified cybersecurity professionals.

(b)(5)

Question#:	28
Topic:	Cybersecurity Hiring
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

(b)(5)

Question: What portion of the increased cybersecurity funding will go to building up DHS's cyber workforce?

(b)(5)

Question#:	29
Topic:	TSA VIPR Funding
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Last year in the wake of the attacks on the airport in Brussels, the Senate voted 91 to 5 for an amendment to double the number of TSA Visible Intermodal Prevention and Response, or VIPR teams. These teams patrol our airports and public transit spaces in order to deter and respond to terrorist attacks. The provision, which I worked on with a number of my colleagues including Senator Heinrich, was ultimately signed into law. Instead of funding the doubled teams, the President's FY2018 budget request cuts the number of VIPR teams to eight.

Please explain how this proposed cut is justified in light of increased attacks on soft targets.

(b)(5)

Question#:	30
Topic:	ICE Private Prisons
Hearing:	The Department of Homeland Security Fiscal Year 2018 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Senator Harris and I sent a letter to DHS last month asking a number of questions about ICE's use of private, for-profit detention facilities.

As you know, an outside panel last year reviewed these facilities and found that these facilities are generally less safe than publicly run facilities, and made a number of recommendations for their improvement.

I believe we requested a reply to that letter by next week (June 12th). I have not a question for you but a request. Can you please commit to reviewing our letter carefully and providing a thorough response to our questions?

(b)(5)

DRAFT