



Fiscal Year 2022 Expenditure Plan: Southwest Border (SWB)

Title V, Section 543

April 15, 2022

Fiscal Year 2022 Report to Congress



**Homeland
Security**

Under Secretary for Management

Message from the Office of the Under Secretary for Management

April 15, 2022

I am pleased to submit the “Fiscal Year 2022 Expenditure Plan: Southwest Border (SWB),” which was prepared by the Office of the Chief Financial Officer.

This report was compiled pursuant to a requirement set forth in Title V, Section 543 of the Fiscal Year 2022 Department of Homeland Appropriations Act (P.L. 117-103). Included are detailed expenditure plans for U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and Federal Emergency Management Agency funding provided by Title V, Section 543.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable Lucille Roybal-Allard
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Chris Murphy
Chair, Senate Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries relating to this report may be directed to me at (202) 406-5700.

Sincerely,

**RANDOLPH
D ALLES** Digitally signed by
RANDOLPH D ALLES
Date: 2022.04.15
14:33:33 -04'00'

R.D. Alles
Under Secretary for Management (Acting)
Department of Homeland Security





Fiscal Year 2022 Expenditure Plan:
Southwest Border (SWB)
Title V, Section 543

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I. Legislative Language

This document was compiled pursuant to language set forth in Title V, Section 543 of the Fiscal Year (FY) 2022 Department of Homeland Security (DHS) Appropriations Act (P.L. 117-103).

P.L. 117-103 states:

SEC. 543. (a) For an additional amount for the accounts, in the amounts, and for the purposes specified, in addition to amounts otherwise made available for such purposes—

(1) “U.S. Customs and Border Protection—Operations and Support”, \$993,792,000 for border management requirements of the U.S. Border Patrol;

(2) “U.S. Immigration and Customs Enforcement—Operations and Support”, \$239,658,000 for non-detention border management requirements; and

(3) “Federal Emergency Management Agency—Federal Assistance”, \$150,000,000, to be available for the emergency food and shelter program for the purposes of providing shelter and other services to families and individuals encountered by the Department of Homeland Security.

(b) Not later than 30 days after the date of enactment of this Act, the Under Secretary for Management shall provide an expenditure plan for the use of the funds made available in subsection (a).

II. Background

DHS is responding to a historically high number of migrants reaching the Southwest land border. As the number of migrants encountered fluctuates, so do the resources needed to process, transport, and care for individuals in DHS custody efficiently and effectively. DHS always is preparing for the ebb and flow of migration patterns.

A variety of factors can cause individuals to flee their homes in the first place, including ongoing violence, natural disasters, food insecurity, and poverty throughout the Western Hemisphere. These factors have been exacerbated further by the Coronavirus Disease 2019 (COVID-19) global pandemic. Spending outside of DHS daily operations because of irregular migration has increased year over year with requirements such as humane facilities, fleet, fuel, travel/temporary duty (TDY), utilities, supplies, and equipment.

The Administration provided the Appropriations Committee Staffs with updated Southwest Border (SWB) funding requirements in December 2021 based on migration trends in FY 2021 and early FY 2022. DHS is appreciative of the \$1.4 billion provided in Title V to address this increase in migration, and this expenditure plan outlines how DHS expects to obligate against associated requirements. However, if irregular migration in FY 2022 continues to increase, DHS will need to reprioritize and allocate existing funding to address the increased requirements. DHS will utilize Section 503 reprogramming and transfer authority and request support from other federal agencies as appropriate. The Administration may also engage Congress as necessary to seek additional funds to manage the increase in migrant encounters.

III. Expenditure Plans

A. U.S. Customs and Border Protection (CBP)

This expenditure plan details how CBP will obligate the \$994 million in the Operations and Support appropriation for costs associated with the management of the U.S. borders. Funding will support services such as operational costs, shelter, health care, safe and secure processing, transportation, overtime pay, and continued use of contractor staff to deliver humanitarian care.

1. Treasury Account Fund Symbol: [70 22 0530]

The following table identifies how CBP intends to execute funds by program/project/activity (PPA).

PPA	Total (\$ in thousands)
Border Security Operations – U.S. Border Patrol (USBP), Assets and Support	\$14,000
Border Security Operations - USBP, Operations	\$880,292
Integrated Operations - Air & Marine Operations (AMO), Assets & Support	\$7,000
Integrated Operations - Operations Support	\$85,000
Trade & Travel – Office of Field Operations (OFO), Domestic Operations	\$7,500
Total	\$993,792

While Congress worked to finalize FY 2022 appropriations, CBP continued to execute base funds to meet the growing requirements at the SWB. The enactment permits CBP to apply \$993.8M to expenses incurred to date as well as to other costs projected for FY 2022. The following table identifies how CBP executed the funding thus far in Quarter 1 (Q1)/Quarter 2 (Q2) as well as provides projections for execution in Quarter 3 (Q3)/Quarter 4 (Q4).

A succeeding section provides a brief description of each activity and projected costs.

Activity	PPA Name	Total Funding (\$ in thousands)	Q1 FY 2022	Q2 FY 2022	Q3 FY 2022	Q4 FY 2022	Total
Soft-sided Facilities (SSF)	Border Security Operations - USBP Operations	\$664,100	\$50,000	\$108,000	\$310,000	\$196,100	\$664,100
Medical Contract	Integrated Ops. - Operations Support	\$85,000	\$0	\$0	\$0	\$85,000	\$85,000

						Q4	Total
Operational Costs	Border Security Operations - USBP Operations	\$81,500	\$13,273	\$13,290	\$22,742	\$32,195	\$81,500
	Border Security Operations - USBP Operations	\$57,000	\$10,980	\$7,820	\$19,600	\$18,600	\$57,000
TDY	Trade & Travel – OFO Domestic Operations	\$5,000	\$5	\$0	\$2,000	\$2,995	\$5,000
Volunteer Force	Border Security Operations - USBP Operations	\$45,092	\$4,500	\$10,000	\$16,592	\$14,000	\$45,092
	Border Security Operations - USBP Operations	\$25,000	\$6,449	\$9,664	\$5,500	\$3,387	\$25,000
Overtime	Trade & Travel – OFO Domestic Operations	\$2,500	\$300	\$750	\$750	\$700	\$2,500
Transportation Costs	Border Security Operations – USBP Assets and Support	\$14,000	\$1,500	\$1,600	\$0	\$10,900	\$14,000
AMO Flight Hours	Integrated Ops. - AMO Assets & Support	\$7,000	\$1,574	\$1,685	\$1,871	\$1,870	\$7,000
Other Medical/Caregivers	Border Security Operations - USBP Operations	\$5,600	\$0	\$0	\$5,600	\$0	\$5,600
COVID-19 Testing Contract/Migrant Testing	Border Security Operations - USBP Operations	\$2,000	\$0	\$0	\$2,000	\$0	\$2,000
Total		\$993,792	\$88,581	\$152,809	\$386,655	\$365,747	\$993,792

Soft-sided Facilities**\$664,100,000**

SSFs provide additional space for appropriate care and provisions for noncitizens in temporary custody of USBP while awaiting disposition by U.S. Immigration and Customs Enforcement (ICE) and/or placement with the U.S. Department of Health and Human Services.

Funding will support the following projected costs, assuming current occupancy rates:

- Ensure SSF support through November at five existing locations, eight sites:

SSF	Capacity	Total Funding (\$ in thousands)
Donna, TX (A, B, and C Sites)	1,625	\$161,800
Yuma, AZ	875	\$144,500
Eagle Pass South, TX	500	\$86,300
Tucson, AZ	500	\$83,200
Laredo, TX	1,000	\$75,300
Total	4,500	\$551,100

- (New) Del Rio Sector SSF: \$37.1 million allows CBP to stand up an additional 500-capacity SSF in the Del Rio Sector, and includes one-time mobilization costs and a four-month base contract. Total funding is projected to support the site through November.
- (New) SSF (location to be determined): \$32.1 million allows CBP to stand up an additional 500-capacity SSF, to include one-time mobilization costs and a four-month base contract.
- Over-Capacity Mitigation: \$32.1 million allows CBP to address increases beyond capacity at individual SSFs where necessary.
- Other (Office of Information Technology (OIT)/Change Management): \$2.8 million will be used to modify SSFs based on operational changes. This funding will also address any unforeseen OIT needs that may arise throughout FY 2022.
- Background Investigations: \$8.9 million will enable CBP’s Office of Professional Responsibility to perform background checks for contract staff supporting all SSFs through the end of FY 2022.

Medical Contract**\$85,000,000**

Funding supports a projected increase above the amounts previously estimated and enacted for the FY 2022 President’s Budget, for CBP to provide medical care for those in its custody at USBP Stations and OFO Port of Entry (POE) locations along the SWB. Medical services for SWB individuals include intake health interviews, medical assessments, onsite diagnosis and treatment of basic medical conditions, medical referrals, follow-up care; enhanced medical monitoring; public health/infectious disease support; and exit health summaries; and vaccinations. Medical assessments provided by this contract within CBP facilities support the health and safety of those in CBP’s custody.

Operational Costs **\$81,500,000**

Funding will support requirements related to migrant care above normal base operations, to include but not limited to detainee meals, clothing, blankets, hygiene supplies, routine medical supplies, additional security services not provided by SSF contractors, law enforcement operational requirements such as fuel and vehicle maintenance, and information technology infrastructure for increased noncitizen processing.

TDY **\$62,000,000**

Funding supports the temporary deployments through FY 2022 of up to 4,000 CBP personnel to SWB locations requiring surge support. TDY personnel will process undocumented noncitizens and will assist with other operational needs.

Volunteer Force **\$45,092,000**

Funding will allow DHS to continue the temporary, federal governmentwide volunteer force, to assist CBP in responding to the surge at the SWB. Volunteer Force members perform non-law enforcement duties that will help to free up CBP law enforcement to continue to perform their critical frontline duties to protect and secure our borders. Funding will support the deployment of up to 225 personnel per month.

Overtime **\$27,500,000**

Funding will allow CBP to continue round-the-clock operations while encountering large numbers of individuals at the SWB. Border Patrol agents and field officers typically work a 10-hour shift; however, because of the unprecedented number of encounters, overtime hours are needed. Over the most recent 13 pay periods, CBP has processed more than 19,000 overtime transactions. This is more than a quadruple increase over the same period not experiencing a SWB surge.

Transportation **\$14,000,000**

Funding will support the CBP Transportation program, which is an integrated system of contracted services to support CBP transportation needs on the SWB. This program significantly reduces the number of CBP agents and officers required for securing and transporting detainees, which allows them to focus on critical frontline law enforcement operations. Because of the high volume of family units and unaccompanied children at the SWB, an increase in flights, ground transportation, and facility guarding is required to transport and secure detainees.

AMO Flight Hours **\$7,000,000**

Funding will allow AMO to provide approximately 3,000 flight hours using a mix of assets based on the specific SWB requirement. To date, AMO has provided support primarily by utilizing the light enforcement and medium lift helicopter platforms.

Other Medical/Caregivers

\$5,600,000

Funding will allow CBP to procure the services of caregivers for detainees classified as unaccompanied minor children and family units minor children at multiple locations within the SWB area of operations. Caregivers will assist with the general care of children to include: monitoring, changing diapers, assisting with toilet use and handwashing, feeding when a child is not able to feed himself/herself, assisting to facilitate other requirements to include recreation supervision (e.g., reading, drawing, outside physical activity) when available or needed, and identifying and tending to other similar basic needs of children as those needs arise.

COVID-19 Testing Contract/Migrant Testing

\$2,000,000

Funding will support CBP's requirement for COVID-19 testing services of noncitizen family units. Testing will be contracted for and conducted via an interagency agreement by ICE Health Service Corps (IHSC). CBP will reimburse IHSC for medical team costs, including salaries, benefits, overtime, and travel expenses.

B. U.S. Immigration and Customs Enforcement

This expenditure plan details how ICE will obligate the \$240 million in Operations and Support funds for border management costs. Funding will support increased enrollments for Alternatives to Detention (ATD) programs and will offset: border TDY assignments of ATD personnel; transportation contracts to address the increased requirements as evidenced by heightened demand through the first two quarters of FY 2022; Custody Operations requirements, including offsetting expenses already incurred for Emergency Family Shelters, medical care provisioning and payments to third-party providers, expanding legal access and ensuring adequate contract interpretation services accounting for a diverse noncitizen population, and adequately managing the in-custody population flows with custody resource coordination staffing.

1. Treasury Account Fund Symbol [70 22 0540]

PPA	Total
Custody Operations	\$86,958
Alternatives to Detention	\$102,700
Transportation Program	\$50,000
Total	\$239,658

Activity	PPA	Funding (\$ in thousands)	Q1 FY 2022	Q2 FY 2022	Q3 FY 2022	Q4 FY 2022	Total
Family Processing Centers	Custody Operations	\$37,221	\$37,221	\$0	\$0	\$0	\$37,221
Custody Resource Coordinators	Custody Operations	\$6,457	\$0	\$0	\$0	\$6,457	\$6,457
Addressing Language Deficiencies	Custody Operations	\$4,010	\$0	\$0	\$4,010	\$0	\$4,010
Expanding Legal Access Programs	Custody Operations	\$1,370	\$0	\$0	\$1,370	\$0	\$1,370
Third-Party Medical Bills	Custody Operations	\$37,900	\$0	\$0	\$37,900	\$0	\$37,900
Enforcement & Removal Operations (ERO)/ Homeland Security Investigations (HSI) Law Enforcement Officers (LEO) Details to SWB	Alternatives to Detention	\$20,000	\$0	\$0	\$10,000	\$10,000	\$20,000
ATD	Alternatives to Detention	\$82,700	\$0	\$0	\$67,500	\$15,200	\$82,700
Transportation	Transportation Program	\$50,000	\$0	\$0	\$50,000	\$0	\$50,000
Total		\$239,658	\$37,221	\$0	\$170,780	\$31,657	\$239,658

Family Processing Centers

\$37,221,000

During FY 2021, ICE entered into a contractual arrangement to provide Emergency Family Shelters to manage the influx of families presenting at the SWB. A total of eight hotels were utilized at various locations along the border, and the operational tempo required continued use of these sites entering into FY 2022. The \$37.2 million received in Title V for “Family

Processing Capacity” represents the totality of FY 2022 obligations toward this specific purpose, and receipt of these funds make whole the Custody Operations sub-PPA for these unplanned, unbudgeted expenditures. Upon submission of this spend plan, ICE will reclassify these specific transactions to ensure intended use of this funding.

Custody Resource Coordinators (CRC)

\$6,457,000

ICE ERO’s Custody and Resource Coordination program will fund additional positions to expand and improve the noncitizen detention environment via specialized resources with social work backgrounds. In conjunction with IHSC, ERO Custody Management developed the concept of the program, whereby CRCs support ICE officers and detention facility staff in maintaining a safe and secure detention environment, and in accomplishing ERO’s mission. CRCs typically have advanced college degrees, are fluent in Spanish, and are experienced in providing specialized services to vulnerable populations. CRCs provide tailored critical mission support to ERO in areas such as: conducting detainee wellness checks and follow-ups upon request; administering skill-building groups for detainees with vulnerabilities (such as victims of human trafficking); and providing specialized services and supports for transgender detainees, among other services. ERO is working with ICE’s Office of Human Capital on a hiring plan and will stay engaged with Congress moving forward.

Addressing Language Deficiencies

\$4,010,000

Funding will be allocated to ongoing and planned language access initiatives within this fiscal year to include the ICE-wide language services contract, the sign language services contract, a machine learning language services concept program in collaboration with DHS Office of Science and Technology, and a new indigenous languages contract. Innovative language access tools are necessary to support communication with noncitizens with limited English proficiency who are transferred into ICE custody. The historic rise in border apprehensions has resulted in an increased need for not only Spanish language translation, but also services in other languages like Haitian Creole, Portuguese, French, Punjabi, and Russian.

Expanding Legal Access Programs

\$1,370,000

Funding will be devoted to support the creation of an ICE-wide web-based system for electronic filing of a Notice of Entry of Appearance as Attorney or Accredited Representative (Form G-28) and for scheduling legal visits and/or calls as well as the expansion of the Virtual Attorney Visitation Program (VAV). Expected increases in ICE custody related to a post Title 42 landscape will put a strain on existing legal access processes. In order to properly handle its immigration caseload, ERO needs a better system to account for and access G-28s so that ERO can communicate effectively with noncitizens’ counsel. Also, an uptick in custody will mean more noncitizens will require access to VAV, which allows better representation and ensures adequate due process.

Third-Party Medical Bills **\$37,900,000**

For non-IHSC staffed facilities, medical care is either included in the detention vendor contract or provided by an offsite third-party medical provider. Offsite medical care expenses are processed by the Department of Veterans' Affairs Finance Services Center (FSC), approved by IHSC, and paid for by ICE. Cumulative costs for offsite medical care have increased annually since FY 2017, and from FY 2017 to FY 2021, expenses increased by nearly 40 percent. Title V funding will be obligated to ERO's interagency agreement with the FSC.

ERO/HSI LEO Details to SWB **\$20,000,000**

Title V funding will offer frontline support for more than 350 ERO personnel detailed to the SWB for processing of noncitizens for custody and ATD monitoring determinations. This unplanned and unbudgeted requirement presents budgetary risk to the ATD account. As of FY 2022 Q2, HSI realized de minimus expense in its SWB surge response, so the Title V funding will be devoted to offset expenses being incurred by the ATD program. Currently, expenses are running at ~ \$2 million - \$4 million/month as ICE is paying up to 300 percent of per diem because of limited lodging along the SWB. Additional expense categories include overtime expenses for ICE staff to provide assistance issuing Notices to Appear and properly accounting for noncitizens thereafter.

ATD **\$82,700,000**

ATD funds will be used to accommodate continued expansion and reliance on the ATD programs as weekly enrollments continue at record levels. Participant levels entering into FY 2022 were approximately 133,000 individuals. As of the beginning of April 2022, participant levels surpassed 200,000 individuals and are expected to continue increasing with the prospective sunseting of Title 42 authorities. Funding will be used to account for contracting requirements managing these higher participant levels, supervising participants through a combination of home visits, office visits, alert response, court tracking, and/or technology.

Transportation **\$50,000,000**

Current and foreseeable SWB operational requirements show a need for additional transportation-related resources to relieve bottlenecks at border stations. Notwithstanding the prospective termination of Title 42, the Transportation and Removal Program account already was challenged to remain solvent through the end of FY 2022 given the heightened operational tempo that has sustained through FY 2022 Q2. Title V will offset some of those pressures, particularly as ICE has seen year-over-year increased demand in both ground and air transportation, including a 292-percent increase in transports of unaccompanied children in Q1 of FY 2022 over the same period in FY 2021; an 1,100-percent increase in family transports, and a 47-percent increase in air charter and transfers, with no sign of this demand abating.

C. Federal Emergency Management Agency (FEMA)

This expenditure plan details how FEMA will obligate the \$150 million in Federal Assistance funds for the Emergency Food and Shelter Program (EFSP). The EFSP Humanitarian (EFSP-H) program provides funds for critical resources to communities providing humanitarian relief to noncitizens released from DHS custody after crossing the SWB.

1. Treasury Account Fund Symbol [70 X 0413]

Activity	PPA	Funding (\$ in thousands)	Q1 FY 2022	Q2 FY 2022	Q3 FY 2022	Q4 FY 2022	Total
National Board Award*	EFSP-H	\$150,000			\$150,000		\$150,000

* Once FEMA awards funds to the National Board, the National Board will make quarterly awards to subrecipients, local nonprofits, and government organizations based on approved applications.

National Board

\$150,000,000

FEMA's EFSP was appropriated \$150 million for the purposes of providing shelter and supportive services to families and individuals encountered by DHS. Pursuant to the McKinney-Vento Homeless Assistance Act, the National Board is the sole recipient of the total appropriated funds for EFSP. FEMA currently is in the process of meeting all requirements in order to award the funds to the National Board by mid-April 2022.

Once awarded, the National Board will provide notification of funding availability to subrecipient nonprofit, faith-based, and government organizations, as well as guidance about participating in the program. This guidance includes eligible services and the application process for the organizations. Applicant organizations will have the opportunity to request expenditure reimbursements, as well as to request advance or prospective funding, both of which are called Special Funding Requests. The application periods will be on a rolling, quarterly basis, as were the application periods for the American Rescue Plan Act of 2021 (ARPA) funding for EFSP humanitarian relief.

The current expenditure rate for ARPA funding to provide EFSP humanitarian relief to those encountered by DHS averages \$12 million per month. FEMA and the National Board anticipate a similar expenditure rate for the \$150 million appropriation, or possibly a significantly higher rate with the lifting of Title 42 COVID-19 pandemic restrictions on the SWB and the rising poor economic conditions of underdeveloped and developing countries.

Under the McKinney-Vento Homeless Assistance Act, FEMA's role regarding the appropriation is limited to that of custodian of funds and administration of the grant. As such, FEMA's expenditure plan is to obligate the full \$150 million as a grant to the National Board, as required by statute and as soon as possible on an expedited basis (likely mid-April).

FEMA soon will post its Notice of Funding Opportunity online for the National Board to apply for the \$150 million grant. As part of that application, FEMA requires the National Board to submit budget line items to include the National Board's plan for its administration expenditures and the total funding available for subrecipient grant awards. Once the National Board submits its application to FEMA, the budget details can be made available to Congress upon request.

IV. Appendix: List of Abbreviations

Abbreviation	Definition
AMO	Air and Marine Operations
ARPA	American Rescue Plan Act of 2021
ATD	Alternatives to Detention
CBP	U.S. Customs and Border Protection
COVID-19	Coronavirus Disease 2019
CRC	Custody and Resource Coordinator
DHS	Department of Homeland Security
EFSP	Emergency Food and Shelter Program
EFSP-H	Emergency Food and Shelter Program - Humanitarian
ERO	Enforcement and Removal Operations
FEMA	Federal Emergency Management Agency
FSC	Finance Services Center
FY	Fiscal Year
HSI	Homeland Security Investigations
ICE	U.S. Immigration and Customs Enforcement
IHSC	ICE Health Service Corps
LEO	Law Enforcement Officer
OFO	Office of Field Operations
OIT	Office of Information Technology
POE	Port of Entry
PPA	Program/Project/Activity
Q1	Quarter 1
Q2	Quarter 2
Q3	Quarter 3
Q4	Quarter 4
SSF	Soft-sided Facility
SWB	Southwest Border
TDY	Temporary Duty
USBP	United States Border Patrol