

## Northern Border Air Branches

The Committees on Appropriations direct CBP to brief the Committees on Appropriations on the performance of the Northern Border Air Branches and the schedule for their completion.

## Multi-Role Patrol Aircraft

The Committees on Appropriations are concerned with the shortfall of CBP multi-role patrol aircraft (MPA) resources, exacerbated by the recent decision of a key contractor to stop MPA production and the need to sustain an aging P-3 fleet. CBP is directed to brief the Committees on Appropriations on: steps it is taking to mitigate MPA capability gaps; options for MPA procurement; long-term options for the P-3 fleet; and how CBP is working with the DHS investment review board and the Coast Guard to identify joint mission requirements and acquisition strategies to address the Department's mid- and long-range maritime surveillance missions. The Committees on Appropriations expect CBP to explain any revisions to its air strategic plan due to changes in the MPA cost and procurement schedule at this briefing and in its fiscal year 2009 budget justification.

## Unmanned Aerial Systems

The Committees on Appropriations provide \$14,720,000 for the operation and maintenance of Unmanned Aerial Systems (UAS). The Committees on Appropriations support implementation of UAS through the CBP Air and Marine recapitalization and modernization program, but remain concerned that DHS should develop a UAS concept of operations for civil airspace as well as the maritime domain. Furthermore, the Committees on Appropriations believe DHS must weigh UAS' potential to significantly enhance DHS intelligence, surveillance, and reconnaissance capabilities against investments in proven, manned aviation assets.

The Committees on Appropriations direct CBP and DHS to brief the Committees on Appropriations on how CBP's UAS mission is coordinated with other Department and other U.S. government UAS programs, including: details on inter-agency and inter-departmental efforts to establish a concept of operations in civil airspace; joint mission requirements for maritime applications; and coordinated acquisition strategies. In addition, the Committees on Appropriations direct CBP to work with the Federal Aviation Administration (FAA), as directed in House Report 110-181, to test the safety of UAS devices to determine the risk of mid-air collisions with manned aircraft and evaluate the appropriateness of an FAA exemption for small scale UAS technology.

## Wireless Access Surveillance Platform

The Committees on Appropriations are aware that municipal and other general aviation airports often lack technology or staffing to track aircraft that land and arrive

there, leaving a vulnerability to smuggling or illegal transit across the U.S. border. The Committees understand CBP Air and Marine is currently testing the Wireless Access Surveillance Platform (WASP) to close the gap in existing radar and other surveillance assets at unmanned and untowered airports, to enable them to focus on flights of interest. One critical benefit would be to permit CBP to better distinguish between legal domestic traffic and concentrate on cross-border traffic. The Committees on Appropriations provide up to \$6,000,000 to install the WASP system at at-risk border state airports.

#### CONSTRUCTION

The amended bill provides \$348,363,000 for Construction, instead of \$249,663,000 as proposed by the House and \$274,863,000 as proposed by the Senate, of which \$61,000,000 is designated as emergency spending. This includes at least \$100,000,000 solely for Border Patrol construction and \$30,000,000 for repair and renovation of air and marine facilities, and \$39,700,000 for construction activities under Phase IV of the Advanced Training Center Master Plan. The Committees on Appropriations do not reduce Headquarters Management, Salaries and Expenses by \$5,000,000, nor do they agree to an unspecified reduction of \$15,000,000 of this account, as recommended by the Senate. As the Committees on Appropriations include more funding than proposed in either the House or Senate bills, they direct CBP to submit a revised construction expenditure plan to the Committees on Appropriations not later than 90 days after enactment of this Act. The Committees on Appropriations direct that none of the funds provided under this heading shall be used for port of entry construction and encourage consideration of the air and marine facilities requirements of the Marfa sector for inclusion in this plan.

#### Port of Entry Modernization

The Committees on Appropriations are alarmed at the condition of the Nation's ports of entry, and the adverse impact of crumbling infrastructure and obsolete design on the combined missions of securing our borders while maximizing the flow of legitimate commerce and travel. Consistent with Title VI of this Act, the Committees on Appropriations direct CBP, in consultation with the General Services Administration, to work together on a national strategy to identify and prioritize the most effective methods to modernize the nation's aging international ports of entry. The reporting requirement in House Report 110-181 is therefore negated.

#### U. S. IMMIGRATION AND CUSTOMS ENFORCEMENT

##### SALARIES AND EXPENSES

The amended bill provides \$4,687,517,000 for U.S. Immigration and Customs Enforcement (ICE) Salaries and Expenses instead of \$4,155,400,000 as proposed by the House and \$4,401,643,000 as proposed by the Senate. Of the amounts provided, \$516,400,000 is designated emergency. The Committees on Appropriations fund requested information technology (IT) investments in the "Automation Modernization"