

Opening Statement by Chairman Price
Balancing Security with Legitimate Trade and Travel
March 24, 2010

This morning we welcome David Aguilar, Acting Deputy Commissioner of U.S. Customs and Border Protection (CBP), as we focus on how CBP polices our borders while at the same time expediting legitimate travel and commerce. While I would also like an update on SBInet in light of the Secretary's plan to reallocate Recovery Act funding, we will have a chance to get into the full details of this issue during our Southwest Border hearing on April 14.

Trade and travel are essential to our economy and its recovery. There is broad, bipartisan agreement on the need to insulate them from disruption, either from attack or ineffective and costly security measures. That is not to say that everyone agrees on *how* to do this. It is simple to endorse a strategy that is "risk-based" and emphasizes "defense in depth", but then gloss over the devilish details, which can be hard to measure and implement, especially when one must rely on the cooperation of the private sector and foreign governments.

Secretary Napolitano testified CBP will not be able to implement the 9/11 Act mandate to scan 100 percent of US-bound cargo by 2012, which has been

characterized as unrealistic and unaffordable, and will rely instead on other “risk-reduction” measures. I am sympathetic to taking a realistic approach to scanning cargo overseas, and have said so repeatedly, but we have not yet received the Department’s strategy “to achieve meaningful and effective cargo and supply chain security,” as required by the fiscal year 2010 Appropriation Act. Your 2010 budget dramatically cuts the Secure Freight and Container Security Initiatives; replaces CBP’s overseas presence with a “virtual” one; and reduces the C-T-PAT trusted shipper program by 15 percent. Commissioner, we have visited seaports and know that implementing cargo security is complicated. But the Department must spell out its vision, with a plan to achieve it, if we are to understand how these cuts affect U.S. security and trade objectives.

Another critical element to trade and security is CBP personnel, whether at or between the ports of entry. As you know, this Subcommittee has led efforts to support the recruitment and retention of CBP’s critical workforce, most recently by authorizing and funding law enforcement officer retirement benefits for CBP officers. And I would like to commend the Department for funding its journeyman pay initiative in the fiscal year 2011 budget, although I am disappointed to learn that budget pressures have forced CBP to postpone implementing that initiative this year, which reportedly has damaged morale.

Beyond the journeyman pay issue, however, are fundamental staffing budget challenges for CBP. I am concerned we may lack the CBP Officers and Agriculture specialists we need. While we doubled the number of Border Patrol agents since 2002, the number of CBP Officers has not grown accordingly – and is *projected to decrease* by about 500 positions this year, despite increased appropriations. Yet ports of entry are where most narcotics and other contraband enter, and seizures are rising; they are where most travelers – legitimate or otherwise – cross; and we continue to hear of long wait times at land ports of entry. Your request includes \$70 million to address “systemic salary shortfalls”, and \$45 million for 389 CBP Officers to “maintain staffing for critical positions”. These are stopgap actions. The problem is user fee collections, which fund over a third of CBP Officers, are falling. Clearly, CBP has big structural budgetary dilemmas. Minor economies, like cutting foreign language incentive pay, or “management efficiencies”, are not real solutions, and may be counterproductive. What is CBP’s strategy to fix these problems?

In addition to personnel, technology has been a cornerstone of CBP efforts to detect radioactive and nuclear material, drugs, weapons or other dangerous contraband, with over \$1 billion appropriated over the past five years. Yet there

remain significant challenges. For example, the next generation of radiation portal monitors has yet to be certified, and cargo scanning at seaports remains inconsistent, particularly those served only by rail. We'd like to hear about CBP plans to do more operational testing of possible technologies. We also want to hear CBP's overall strategy for modernizing non-intrusive inspection (NII) systems to streamline the inspection process.

Targeting, screening, and inspecting international travelers is a core CBP mission, with tools such as the Electronic System for Travel Authorization, the Western Hemisphere Travel Initiative (WHTI), and the traditional screening of inbound, and now, outbound travelers. In light of the December 25 incident, how is CBP improving its capacity to target, screen, and process travelers, document arrivals and departures, and enhance security while expediting low-risk travelers?

Commissioner Aguilar, we look forward to a lively dialogue on these issues. We will enter your written statement into the record, so I ask you to limit oral remarks to a five minute presentation.