



# Committee On Finance

Max Baucus, Ranking Member

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## **Floor Statement of Senator Max Baucus (D-Mont.) Regarding the Port Security Improvement Act of 2006**

Mr. President, I want to take a moment to recognize that today is the fifth year anniversary of the September 11<sup>th</sup> attacks. That day five years ago changed the way we all think about the world. We learned that we must be prepared for threats we cannot even imagine.

That is why our work here today, on the Port Security Improvement Act, is so important. I was pleased to help write the Port Security Improvement Act of 2006, the amendment before the Senate today. I am proud of our work. Working together, we have crafted legislation to help keep our ports safe and our economy strong.

This legislation strikes a balance. It protects Americans. And it preserves the free flow of commerce upon which our prosperity depends.

Last year, nearly 11 million containers came into the United States. That's more than 30 thousand containers every day. They arrive at more than 300 ports all around our borders. And that number of containers is expected to double over the next three years.

The U.S. Customs and Border Protection Agency is responsible for ensuring that not one of those millions of containers – not one – carries with it anything that could harm us. It is a daunting task.

It would be tempting to say that we should slow this torrent of containers to a trickle. It would be tempting to say that we should allow Customs and Border Protection unlimited time to do its job and protect us from harm.

But slowing trade to a trickle would also cause America great harm. It would cripple our economy.

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Ensuring security is only half of the work of Customs and Border Protection. The agency is also charged with carrying on the centuries-old responsibility of its predecessor – the U.S. Customs Service – to facilitate the commerce so critical to keeping our economy strong.

Cross-border trade accounts for fully a quarter of the American economy.

How, then, do we keep this flow of trade both safe and smooth?

I believe that this legislation tries to do just that. We have given Customs and Border Protection more tools and resources to accomplish both of its missions.

We authorize \$1.2 billion in port security grant assistance. And we authorize another \$750 million for key programs like the Container Security Initiative and the Automated Targeting System.

We also authorize funds to fulfill the promise of the Customs-Trade Partnership Against Terrorism. We provide the personnel to validate supply chain security for the thousands of American importers eager to participate in the program and keep their cargo moving.

I also strongly support testing and deployment of fully integrated container scanning systems capable of increasing the security of containers in foreign ports while maintaining or improving the processing time of just-in-time cargos. The more we can know about a container before it gets to America, the safer that we will all be.

But technology is not a panacea. We need people at our land and sea ports to deter and detect any contraband or unlawful persons from entering the country. My home state of Montana is a border state. In Montana, we have new cargo examination equipment. But we don't have new personnel to run it.

And we need people to ensure the robust enforcement of our trade laws and trade agreements upon which American companies and workers rely. That is why in the 2002 Homeland Security Act, Congress prohibited any diminution in Customs' trade facilitation and enforcement functions. And we prohibited any reduction or consolidation of the personnel performing those functions.

In violation of that Act, personnel dedicated to revenue collection and trade enforcement are increasingly being asked to assist with port security-related functions for which they are neither trained nor equipped. Since 2003, trade personnel numbers have decreased by as much as 15 percent.

This legislation reverses this damaging trend by requiring Customs and Border Protection to restore personnel vital to its commercial mission. At the same time, we ensure sufficient numbers of security-focused personnel by adding uniformed officers at every one of our nation's ports. We can do both. We need to do both.

The legislation also creates an Office of International Trade within Customs and Border Protection. The new office would be headed by an Assistant Commissioner for International Trade reporting directly to the Commissioner. This office is responsible for supervising and giving policy direction to employees performing the agency's commercial and revenue functions. This structural change is designed to give voice to the concerns of commerce. It will guarantee that the concerns of commerce receive due consideration.

And an International Trade Policy Committee within Customs and Border Protection will assist the Commissioner in coordinating with the Assistant Secretary for Policy. The committee will help them implement policies related to the commercial customs and trade facilitation functions within the agency.

Mr. President, if security at our ports is compromised, then the international trade that drives our nation's economy could grind to a halt. But if security at our ports does not protect the overall health of the international commerce system, then that would not provide Americans real security. We need to do both.

I am very pleased with the legislation before us today. We still need to address other critical transportation security issues, like rail and transit security, which this legislation does not do. But the pending amendment is a critical component of a national strategy on homeland and economic security.

This legislation could not have been completed without the tireless efforts of my Colleagues. I want to thank and commend Senator Inouye, Senator Stevens, Senator Murray, Senator Collins, Senator Lieberman, Senator Coleman, and of course my dear friend the Chairman of the Finance Committee, Senator Grassley. Too many staff to name have worked countless hours to get this legislation ready, and I thank them.

Working together, I believe that we have created something that both safeguards our nation's ports and protects American prosperity. America needs us to do both. And that is why America needs us to pass this important legislation.

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