



COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Subcommittee Hearing Statement of Chairman Bennie G. Thompson (D-MS)

Examining DHS' Management of Trusted Traveler Programs

September 30, 2020

The issue that brings us here is our ongoing effort to understand why we were misled about the Department's decision to exclude New York residents from Customs and Border Protection's Trusted Traveler programs. DHS' arbitrary and unjustified decision had the potential to limit economic activity by increasing wait times at Ports of Entry and to create unnecessary hardship for hundreds of thousands of American travelers.

As the Chairwoman noted, DHS' explanation for seeking to punish New York residents in this way is now called into serious question. While New York's "Green Light Law" did limit CBP's access to DMV data, other states and territories were providing no or only limited DMV data to CBP when New York residents were cut off from Trusted Traveler Programs. And yet, no other state or territory was targeted as New York was. In fact, the residents of other jurisdictions that provided no or only some DMV data to CBP apparently continued to be enrolled in the Trusted Traveler programs.

Last month, DHS claimed that its officials made statements that were, and I quote, "true to the best of their knowledge at the time they were made." DHS then provided to the Committee a few documents it provided to the Court, claimed that these corrected our record, and said, and I quote: "we hope the Committee accepts this explanation." Let me be clear: We don't accept.

Either DHS officials intentionally made misleading statements to this Committee, or the officials charged with managing an essential Homeland Security program were ignorant about the program's operation. We are here to find out which it was.

We are also here because in this matter as in so many other matters, the Department has refused to cooperate with the Committee's investigation. In seeking clarity about the decision to exclude the residents of an entire state from CBP's Trusted Traveler programs, the Committee has requested interviews and documents, but DHS has declined to fulfill either request. Even today, the Subcommittee requested four witnesses from the Department, but has received only one.

In fact, the Department even had the gall to allege that by seeking to understand the facts and circumstances surrounding the inaccurate and misleading testimony we received, the Committee is acting improperly. Let me be clear about a few things on which I hope all Committee Members will agree.

It is never improper for this Committee to ask questions of the Department. We will never simply accept inaccurate or misleading testimony or information—and it is absurd for the Department to suggest that we have an obligation to do so. This Committee has both the authority and the duty to carry out

oversight over the activities and decisions of DHS, and we will continue to use every investigative tool available to us to combat the Department's stonewalling.

Finally, as Chairman, I guarantee that this Committee will continue its efforts to hold this Department accountable for the many arbitrary, unjustifiable, and apparently politically motivated decisions it has made under this Administration until we find out the truth about these actions.

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