

## NEWS ALERT



U.S. HOUSE OF REPRESENTATIVES

# Homeland Security Committee

*Rep. Bennie G. Thompson, Ranking Member*



**FOR IMMEDIATE RELEASE**

## **Statement of Ranking Member Bennie G. Thompson**

### ***Full Committee Markup – H.R. 399***

January 21, 2015 (Washington) – Today, Committee on Homeland Security Ranking Member Bennie G. Thompson (D-MS) delivered the following prepared remarks for the full Committee markup of H.R. 399:

“Mr. Chairman: today’s proceedings will set the tone for the 114th Congress. The approach you are taking to advance H.R. 399, the so-called ‘Secure the Border First Act’—a measure that could turn out to be one of the most significant pieces of legislation to emerge from this Committee this Congress—sets an unfortunate tone. You abandoned our bipartisan partnership on border security in favor of a partisan approach, as evidenced by the fact that you introduced the bill on Thursday to coincide with its unveiling at the Republican Member Retreat.

Then, at 7:35 p.m., on Friday evening, you had the Committee Clerk circulate a notice that there would be a Full Committee mark-up of the measure today. I appreciate that there is an ‘urge’ among Republicans to ‘send a tough message’ to this President. After all, by now, reality has set in and you have come to realize the futility of your efforts to roll back the President’s executive actions on immigration through the appropriations process.

Unfortunately, the approach taken here sends a message that satisfying that ‘Republican urge’ trumps protecting the prerogatives of this Committee and adhering to regular order. This approach puts Committee Members, some of whom are new to the Committee and the Congress, in the terrible position of having to vote on a 72-page bill without the benefit of any legislative hearings or input by the Subcommittee on Border and Maritime Security.

That said, let’s talk about what is in your so-called ‘tough’ border security bill. Like H.R. 1417, the legislation I co-authored with you last Congress, H.R. 399 directs the Department to put a plan in place to achieve, maintain, and measure ‘operational control’ along the Southwest border. However, that is pretty much where the similarities end.

H.R. 399 includes pages of requirements, seemingly pulled from thin air, for the acquisition and deployment of technology in the various Border Patrol Sectors on the Southwest border, at a cost to the American taxpayers of \$10 billion. For example, your bill would require, among other things - subterranean surveillance and detection technologies and new maritime assets in San Diego, man-portable unmanned aerial vehicles, sensors, and lighter than air ground surveillance in the Tucson Sector, and tower-based surveillance, mobile vehicle surveillance technologies, and ultralight aircraft detection in Yuma.

It is evident that you did not consult with the Department in the development of this list. If you had, you would not have tied the Chief of the Border Patrol’s hands when it comes to deciding which assets and technologies are most needed for each Sector. Further, you probably would have avoided being so prescriptive as to force the government to buy technologies that turn out to be ineffective or obsolete. Goodness knows this Committee has conducted oversight over more

than a few failed border security technology projects that were once somebody's great idea.

Given your past criticism of those who have thrown money and resources at securing the border, I am surprised and disappointed that your bill takes this approach. H.R. 399 prescribes in painful detail fencing and road construction projects to be completed on an arbitrary timeline of 18 months. Unless there is a border supplemental appropriation in the works, I do not see how the 64 infrastructure projects could be completed within this timeline.

On the subject of timelines, experience with the Federal acquisitions process has taught me that when there are expedited timelines in an acquisition, the cost of the acquisition goes up, often significantly. Ten billion dollars sounds like a lot of money, but I can tell you as someone who has done extensive oversight over the past decade of DHS's past efforts to deploy border security technology, it will not be enough.

In recent days, I have heard your bill characterized as everything from an 'an empty green suit,' 'a stalking horse for a larger immigration package,' to a joke. To someone who has not read the bill, it hard to know what to think about it. H.R. 399 certainly looks 'tough' on the surface, as I am sure was the intention. Sure, it holds the Secretary of Homeland Security responsible for achievement and maintaining of operational control.

However, when it comes time to bring down the hammer for non-performance, as is likely to occur given the unpredictability of appropriations and unrealistic standards for performance set in the bill, pretty much all that happens is that political appointees at the Department will not get raises, bonuses, training or be able to travel on government planes.

Given the budgetary picture since sequester, bonuses and raises could be out of reach for DHS's workforce regardless of Mr. McCaul's bill. And on the plus side of so-called 'travel penalty,' the air carriers stand to realize increased revenue once DHS personnel begin exclusively flying commercial. I appreciate that my Republican colleagues are not fans of the current President, but this measure actually does nothing to 'get tough' with him or his Administration. The 'pain' that it would inflict for non-performance would not be felt by Departmental political appointees for at least two years after enactment.

Further, singling out the hardworking DHS employees in this manner is not likely to foster the morale turnaround that, previously, you indicated you would like to work with me to help Secretary Johnson achieve at the Department.

I have met with Secretary Johnson and Commissioner Kerlikowske. There is no doubt in my mind that they are committed to bolstering security at the Southwest border. Under Secretary Johnson, an effort has been launched to more effectively coordinate the CBP assets and workforce on the Southwest border with the assets and personnel of U.S. Immigrations and Customs Enforcement, U.S. Citizenship and Immigration Services (USCIS), and the U.S. Coast Guard.

Under the current Administration, there is no question that the Southwest border is getting significant attention. However, in discussions about border security, it is easy to lose sight of the fact that border security is not just security between the ports of entry in Texas and Arizona. Border security is also about protecting Americans on inbound flights from foreign lands, our maritime borders, our Northern border, and our ports of entry. Given the diverse nature of the threats to our Nation, we cannot afford to have tunnel vision when it comes to border security."

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