



One Hundred Thirteenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

January 13, 2014

The Honorable Michael T. McCaul
Chairman
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

Dear Chairman McCaul:

We are writing to express our continued concern about the Department of Homeland Security's (DHS) plan to commence preclearance operations in Abu Dhabi, United Arab Emirates later this month and urge you to mark up legislation pending before the Committee on Homeland Security on this important issue.

As you know, Members of this Committee have been briefed on DHS's plans for expanding preclearance to UAE as recently as this week. We remain concerned about whether this expansion makes sense from a risk-based security perspective and the precedent that would be set by allowing a foreign government to pay for our Nation's homeland security operations. Furthermore, many Members are troubled about the competitive advantage that would be granted to a foreign, state-owned air carrier a competitive advantage by offering DHS preclearance facilitation benefits to a location not served by a U.S. air carrier.

Legislation addressing these concerns is currently pending before the Committee. H.R. 3575, the "Putting Security First in Preclearance Act" sponsored by Rep. Sheila Jackson Lee and cosponsored by other Democratic Members of the Committee, focuses on whether conducting preclearance in Abu Dhabi is warranted from a risk-based security perspective. Specifically, the bill, which was referred solely to the Committee, would require a security assessment before the U.S. Customs and Border Protection (CBP) can expand customs preclearance operations to new countries and airports such as Abu Dhabi. It would also preclude a foreign government or person from paying for preclearance operations.

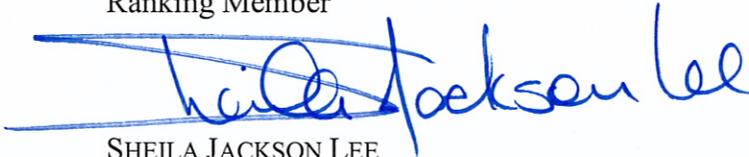
Also, H.R. 3488, introduced by Rep. Patrick Meehan and Rep. Peter DeFazio, would establish conditions under which the Secretary of Homeland Security could establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States. The bill also specifically prohibits the expansion of CBP preclearance to Abu Dhabi and at three other overseas locations. To date, H.R. 3488 has 133 cosponsors.

Given the present and future national security and homeland security implications of the Abu Dhabi preclearance expansion, it is critical that the Committee exercise its legislative jurisdiction and act in a decisive manner. Therefore, we urge you to schedule a markup on this legislation expeditiously and look forward to working with you on this issue on a bipartisan basis. Thank you for your timely attention to this matter.

Sincerely,



BENNIE G. THOMPSON
Ranking Member



SHEILA JACKSON LEE
Ranking Member, Subcommittee on Border and Maritime Security



CEDRIC L. RICHMOND
Ranking Member, Subcommittee on Transportation Security

cc: The Honorable Candice S. Miller, Chairman, Subcommittee on Border and Maritime Security
The Honorable Richard Hudson, Chairman, Subcommittee on Transportation Security