

News from Congressman David Price (NC-04)

Chairman, House Appropriations Subcommittee on Homeland Security

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OPENING STATEMENT OF CHAIRMAN DAVID PRICE *Homeland Security Secretary Chertoff Hearing, 10 am*

Mr. Secretary, welcome. It is a pleasure to have you testify before the Subcommittee today. We thank you for your dedicated service to our nation.

Our hearing today is the culmination of a series of 14 hearings this Subcommittee has held over the past two months. Those hearings have informed many of the questions that we have for you. We also have questions about several of the announcements the Department has made within the past few weeks, including the waivers for fence construction, the border security expenditure plan, the criminal alien deportation plan, and the revised no-match employer regulatory filing.

But, first, let me say a few words about the overall 2009 budget request for the Department of Homeland Security that you submitted in February. I know that you have been a strong advocate within the Administration for the Department's priorities and I do appreciate that you were able to secure additional funding for some initiatives. But, as you might expect, I think your budget falls short in a number of areas. For fiscal year 2009 you ask us to appropriate \$38.8 billion, only \$97 million more than we did for the current fiscal year, including emergency funding. This is an increase of only two-tenths of one percent, well below the rate of inflation. Such a flat budget fails to address many of the nation's continuing and unmet homeland security needs.

Turning to more specific policy issues, I am particularly concerned that your budget once again proposes drastic cuts for first responder, transit, and port grant programs, this time by \$2 billion, 49% below this year's level of \$4.15 billion. This Subcommittee hears over and over from outside experts about the need for greater support from the federal government for state and local first responders, including the critical need to ensure the interoperability of communications. And on top of this we have the costs of meeting the unfunded REAL ID mandate, currently estimated by your Department to be \$1 billion in 2009. Any argument that this funding should be cut must be made in the context of the dynamic threat environment and the unmet needs that remain.

The Administration has touted an increased border enforcement budget, but the proposed funding level is not an increase when considering the emergency funding for border enforcement that was appropriated in the 2008 omnibus bill. In reality, the combined funding for Customs and Border Protection, Immigration and Customs Enforcement, and US VISIT would actually decrease by \$8 million [*from \$14,633 million in 2008 to \$14,625 million*] in 2009 under the budget you propose.

I am also concerned, Mr. Secretary, that your border and immigration budget would provide no additional funding to identify and remove criminal aliens who have been judged deportable. It seems to me that this should be your first immigration enforcement priority, but a look at your

budget and the history of the last four years gives the impression that it is not. Your testimony highlights how DHS has increased worksite apprehensions by 816% from 2003 to 2007. Over that same period, removal of aliens with criminal convictions increased only 16% in total.

Your budget proposes to repeal the legislative language we included in the 2008 Appropriations Act, allowing Customs and Border Protection Officers to convert to law enforcement status. We heard consistently from DHS staff how important this authority was to ensure retention of these critical officers who are, in all but title, law enforcement officers. Just last week a senior Customs and Border Protection official sat where you are sitting now and praised this initiative, describing it as “one of the most critical things facing our work force that needs to be followed through on.” I would be interested to know, Mr. Secretary, if you agree.

Your budget proposes only \$153.9 million for aviation explosive detection systems, a 48% reduction from 2008, in part because you propose a new passenger surcharge to fund these systems on the mandatory, not discretionary, side of the budget. We have only made a dent in the \$5 billion in funding needs in this area, so I doubt whether the Appropriations Committee can or should reduce funding here, even if the authorizing committees act on the passenger surcharge proposal and Congress enacts it.

Mr. Secretary, we all want a strong and effective Department that protects the country and is a wise steward of taxpayer dollars. We realize that we have to be smart about the solutions that we deploy to build a more secure nation. That is why we asked in the 2008 Appropriations Act for your Department to provide the Committee, as part of the secure border initiative expenditure plan, an analysis of each proposed fencing segment compared with other, alternative means of ensuring operational control. We received the Department’s plan last week, but this alternative analysis was conspicuously missing. We wonder why.

Finally, I believe we can agree that central to the Department’s ability to adequately protect the country is a strong FEMA. Based on the Inspector General’s report last week there is clearly work left to be done, as four of the nine key preparedness areas were lacking in progress. Within the coming months, we expect that you will use the additional funding we provided to make significant improvements in these areas.

I would be remiss if I failed to recognize that this is likely your last appearance before this Subcommittee. You have only nine more months to implement your priorities, and perhaps that is both a blessing and a curse, since we know the long hours and intense effort the job requires of you. We, of course, have some ideas about what we would put on your “to do” list for these nine months, and we would like to hear from you, Mr. Secretary, about what is on your short list.

But before proceeding with your testimony, let me recognize Mr. Rogers for any remarks he may wish to make. And let me also point out that, because this is our last, currently-scheduled public hearing for the year, this will likely be Mr. Rogers’ last such hearing as ranking member of the Subcommittee. I personally want to thank him for his leadership, both as the founding chairman of the Subcommittee and, for the current Congress, as the ranking member.

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