



**STATEMENT OF ANTHONY M. REARDON
NATIONAL PRESIDENT
NATIONAL TREASURY EMPLOYEES UNION
ON U.S. CUSTOMS AND BORDER PROTECTION FY 2021 BUDGET REQUEST
BEFORE THE SUBCOMMITTEE ON HOMELAND SECURITY
HOUSE APPROPRIATIONS COMMITTEE**

February 27, 2020

Chairman Roybal-Allard, Ranking Member Fleischmann and distinguished members of the Subcommittee, thank you for the opportunity to provide this testimony. As President of the National Treasury Employees Union (NTEU), I have the honor of leading a union that represents over 27,000 Customs and Border Protection (CBP) Officers and trade enforcement specialists stationed at 328 land, sea and air ports of entry across the United States and 16 Preclearance stations.

CBP is the largest component of the Department of Homeland Security (DHS) responsible for border security at the ports of entry –including anti-terrorism, immigration, anti-smuggling, trade compliance, and agriculture protection. CBP also simultaneously facilitates lawful trade and travel at U.S. ports of entry that is critical to our Nation’s economy.

For years, NTEU has advocated for the hiring of thousands of new CBP Officers and hundreds of new Agriculture Specialists based on the agency’s own Workload Staffing Model (WSM) and Agriculture Resource Allocation Model (AgRAM). According to CBP January 2020 onboard staffing data, CBP has 24,606 CBP Officers onboard, but the Fiscal Year (FY) 2019 WSM states a need for 26,837—a gap of 2,231. For CBP Agriculture Specialists, the January 2020 data shows 2,477 onboard, and the FY 2019 AgRAM shows a need for 3,148—a gap of 671.

Despite this, the President’s Fiscal Year FY 2021 budget requests no new funding for the hiring of much needed Customs and Border Protection Officers, Agriculture Specialists, Trade Operations Specialists and Mission Support positions. NTEU appreciates the funding for CBP OFO employees in the FY 2020 DHS final funding agreement and urges Congress to provide funding for additional new hires in FY 2021 to address ongoing staffing shortages at the ports of entry. **Therefore, NTEU is requesting the Committee provide at minimum \$160 million in direct appropriated funding for CBP “Operations and Support” in FY 2021 to fund the hiring of at least 600 CBP Officers, 240 CBP Agriculture Specialists, 200 CBP Agriculture Technicians, 20 Agriculture Canine Teams and 50 non-uniformed trade enforcement specialists and associated operational support personnel.**

User Fees: As in the past, the Administration's budget proposes increases in user fees collected by CBP. Currently, over 36 percent of CBP OFO is funded with a combination of user fees, reimbursable service agreements, and trust funds. It is gratifying to see that the CBP Officer staffing numbers in the President's budget are not dependent on Congress first enacting changes to statutes that determine the amounts and disbursement of these user fee collections.

The FY 2021 budget again proposes fee increases to the Immigration Inspection and Consolidated Omnibus Budget Reconciliation Act of 1985 user fees; however, these user fees cannot be increased without Congress first enacting legislation. Legislative proposals to increase user fees have been part of the Administration's annual budget submission since FY 2014. These user fee increase proposals are again in the FY 2021 budget request, even though the Committees with jurisdiction have never held hearings on these long-standing legislative proposals and the Administration has not pressed upon these Committee Chairs to do so.

Opioid Interdiction: CBP OFO is the premier DHS component tasked with stemming the nation's opioid epidemic--a crisis that continues to get worse. According to a May 2018 report released by the Senate Homeland Security and Governmental Affairs Committee Minority titled *Combating the Opioid Epidemic: Intercepting Illicit Opioids at Ports of Entry*, "between 2013 and 2017, approximately 25,405 pounds, or 88% of all opioids seized by CBP, were seized at ports of entry. The amount of fentanyl seized at the ports of entry increased by 159% from 459 pounds in 2016 to 1,189 pounds in 2017."

On January 26, 2019, CBP OFO made their biggest fentanyl seizure ever, capturing nearly 254 pounds of the deadly synthetic opioid at the Nogales port of entry. According to the Drug Enforcement Administration, just two milligrams of fentanyl is considered a lethal dose. From the January 26, 2019 seizure alone, it is estimated that CBP Officers seized enough fentanyl to kill 57 million people. That's more than the combined population of the states of Illinois, New York and Pennsylvania. The street value for the fentanyl was over \$102 million. CBP Officers also seized an additional 2.2 pounds of fentanyl pills and a large cache of methamphetamine.

Most fentanyl is manufactured in other countries such as China and is smuggled primarily through the ports of entry along the southwest border and through international mail and Private Express Carrier Facilities, e.g. FedEx and UPS. Over the past five years, CBP has seen nearly 50 percent increase in express consignment shipments from 76 million to 110 million express bills and a 200 percent increase in international mail shipments from approximately 150 million to more than 500 million.

Prior to the enactment of FY 2019 funding agreement, there were only 181 CBP employees assigned to the five Postal Service International Service Centers and 208 CBP employees assigned to the Private Express Carrier Facilities. Due to Congress' funding new hires in the past two cycles, there has been an increase in CBP Officer assigned to these inspection facilities. NTEU's funding request would allow for further increases in CBP OFO staffing at these facilities. Noting the positive impact of hiring additional CBP Officers, it is troubling that the President's 2017 Border Security Executive Order and his subsequent budget requests did not ask for one additional CBP officer new hire. **In 2019, CBP Officers seized a total of 2,560 pounds of fentanyl, an increase of 46.6 percent from FY 2018.** Imagine what CBP OFO could do with adequate staffing and resources.

Agriculture Specialist Staffing: Currently, there is a shortage of approximately 671 Agriculture Specialists nationwide according to CBP's own data-driven and vetted Workload Staffing Model. This month, Congress unanimously approved the NTEU endorsed bill, **S. 2107, *the Protecting America's Food and Agriculture Act of 2019***. **The new law authorizes CBP to hire 240 CBP Agriculture Specialists, 200 CBP Agriculture Technicians and 20 Agriculture Canine Teams per year until the staffing shortage that threatens the U.S. agriculture sector is met.** NTEU's appropriations request includes funding to hire the first wave of CBP agriculture inspection personnel authorized by the newly enacted statute.

CBP Trade Operations Staffing: In addition to safeguarding our nation's borders and ports, CBP is tasked with regulating and facilitating international trade. CBP employees at the ports of entry are critical for protecting our nation's economic growth and security and are the second largest source of revenue collection for the U.S. government--\$72 billion in 2019. **For every dollar invested in CBP trade personnel, we return \$87 to the U.S. economy**, either through lowering the costs of trade, ensuring a level playing field for domestic industry or protecting innovative intellectual property. Since CBP was established in March 2003, however, there has been no increase in non-uniformed CBP trade enforcement and compliance personnel. Additionally, CBP trade operations staffing has fallen below the statutory floor set forth in the Homeland Security Act of 2002 and stipulated in the FY 2019 CBP Resource Optimization Model for Trade Positions. NTEU strongly supports proposed appropriated funding in the FY 2021 budget request for 50 additional Trade Agreement, Remedies, and Enforcement personnel to ensure compliance with laws that govern priority trade issues, such as Intellectual Property Rights.

Recommendation: Increasing CBP Officer staffing at the ports-of-entry is also an economic driver for the U.S. economy. According to the Joint Economic Committee (JEC), "every day 1.1 million people and \$5.9 billion in goods legally enter and exit through the ports of entry" and border delays cost the U.S. economy upwards of \$5 billion each year. **CBP estimates that the annual hiring of an additional 600 CBP Officers at the ports of entry would increase yearly economic activity by approximately \$1 billion and could result in the creation of 16,600 private sector jobs per year.**

For these reasons, NTEU strongly supports S. 1004, *the Safeguarding American Ports Act*, a bipartisan Senate bill that authorizes the hiring of 600 CBP Officers and requisite support staff each year until the staffing gap in CBP's Workload Staffing Model is met. NTEU is working with Members of Congress to introduce a companion CBP Officer authorization bill in the House.

Thank you for the opportunity to submit this request for **\$160 million to fund CBP Officer, Agriculture Specialist, Technicians, Canine teams, Trade Operations and mission support new hires at the ports of entry to build on the CBP OFO staffing advances at the ports of entry enacted in the final FY 2020 appropriations bill.**