

# **STATEMENT OF RANKING MEMBER HENRY CUELLAR (D-TX)**

## **MARKUP OF H.R. 4251, THE SMART PORT ACT**

### **Subcommittee on Border and Maritime Security**

**March 27, 2012**

Securing our ports and waterways should be a priority for all Members of this Committee, as it is an essential part of homeland security. With that in mind, I am pleased that the measure before us today includes provisions and input from Members on both sides of the aisle.

For example, the measure includes a provision authored by Rep. Hansen Clarke to enhance the use of Unmanned Aerial Vehicles (UAVs) on the northern border. It also includes additional provisions to ensure the effective and efficient procurement and use of UAVs and other air and marine assets by the Department of Homeland Security (DHS). As someone who has long championed UAVs for homeland security purposes, I am encouraged that the legislation focuses on improving DHS's use of these important tools.

Similarly, as a Member who has emphasized reducing waste and inefficiency in government, I strongly support the provisions to improve the procurement of maritime security assets and save taxpayer dollars.

I also appreciate the Chair including a provision authored by Rep. Loretta Sanchez to require the Coast Guard to analyze and report to Congress on the threat level and possibility of a small vessel attack on U.S. vessels, ports, or maritime interests.

Furthermore, the Amendment in the Nature of a Substitute includes provisions to improve the Transportation Worker Identification Credential (TWIC) program, which has experienced problems from its inception. I appreciate that the gentlelady worked with the Democrats on this Subcommittee to include provisions similar to those authored by the Ranking Member of the Full Committee, Mr. Thompson. These provisions will help prevent a TWIC renewal crisis that, unless action from the top of DHS is taken, will result in thousands of port workers being forced to undergo the expense and hassle of securing new biometric credentials, despite the fact that DHS has failed to live up to its end of the bargain by issuing a final biometric reader regulation.

Without biometric readers deployed in our ports, the credential fails to live up to its security potential and is essentially an expensive flash pass. Provisions within this ANS will direct DHS to examine ways to extend the validity of existing TWICs until such time as the readers are deployed. In the event that DHS determines that extending the lives of cards in the field is not possible, the Department is directed to ensure that cost of renewing a TWIC credential is reduced, to the maximum extent possible. Additionally, the ANS keeps the pressure on DHS to promulgate the final regulation on biometric readers by stating that if DHS fails to do so by the end of June 2014, port workers who would otherwise be required to renew their cards would be relieved of that obligation until such time as the final rule is issued.

As a whole, the legislation before the Subcommittee today will help the Department better secure our ports while reducing inefficiency and waste. I am proud to be an original cosponsor of the bill as introduced, and urge my colleagues to give it their support. Again, I thank the gentlelady for her willingness to include Democratic priorities in the measure being considered today and thank her for holding this important markup. I appreciate the bipartisan nature of this process so far, both from the Chair and her staff, and look forward to continuing in that spirit today.