



Congressman Pedro R. Pierluisi
Floor Statement as Prepared for Delivery
In Support of Amendment to H.R. 2217,
the Fiscal Year 2014 Department of Homeland Security Appropriations Act
June 5, 2013

Mr. Chairman: I have an amendment at the desk that was printed in the Congressional Record as Amendment Number 12.

I offered this amendment last year, and it was adopted by voice vote. However, it was not included in the final Consolidation Appropriations Act enacted in March.

The homicide rate in Puerto Rico is about three times higher than any state, and most of these murders are linked to the international drug trade. Appropriately, the federal government is allocating substantial resources to combat drug trafficking organizations operating in the Central American corridor and along the Southwest Border. However, those organizations are adapting, returning to smuggling routes through the Caribbean region that were heavily utilized in the 1980s and 1990s. As a result, the Coast Guard seized or disrupted over 17,000 pounds of drugs in the vicinity of Puerto Rico in 2012, a 600 percent increase over the previous year. DEA seizures rose nearly 100 percent. CBP seizures were up nearly 40 percent, and in 2012 the agency seized more drugs in Puerto Rico than it did along the 180-mile border between Mexico and New Mexico. Meanwhile, the street price of drugs in Puerto Rico has decreased. This is a

security problem of national scope, given that 80 percent of the drugs that enter Puerto Rico are subsequently transported to the U.S. mainland, where they destroy communities and lives.

Through various bills and accompanying reports, the House Appropriations Committee has expressed the view that DHS and DOJ should prioritize counter-drug efforts in the U.S. Caribbean to respond to the current crisis. As a case in point, the report accompanying the 2013 DHS appropriations bill stated that the public safety and security issues of the U.S. territories in the Caribbean must be a priority, and that the Committee expects the Secretary of Homeland Security to allocate resources, assets, and personnel to these jurisdictions accordingly.

U.S. Customs and Border Protection is on the front lines of the counter-drug fight. The agency has hundreds of personnel stationed in Puerto Rico.

My amendment is designed to address a problem that arose in Fiscal Year 2011—and one that continues to compromise the ability of CBP to carry out its vital counter-drug mission in Puerto Rico. For over a century, federal law has provided that the collection of certain duties and taxes in Puerto Rico by CBP or its predecessor agencies will be deposited in something called the Puerto Rico Trust Fund. Pursuant to the law and an implementing agreement between the Puerto Rico government and the federal government, a significant portion of that money is also used to fund certain federal operations in Puerto Rico, including the maritime operations of CBP's Office of Air and Marine.

For many years, this arrangement worked well enough. However, because of a shortfall in the Puerto Rico Trust Fund of \$1.7 million due to reduced customs collections in FY 2011, CBP closed a critical boat unit in San Juan that, in 2010, had seized over 7,000 pounds of illegal drugs. CBP took this drastic action because it has interpreted current federal law to require that it use *either* the Trust Fund *or* general congressional appropriations to fund its operations, but not both.

The amendment would simply give CBP the authority to supplement any funding from the Trust Fund with general appropriations made in this bill. This would make it easier for CBP to avoid any further reductions to its operations in Puerto Rico and, ideally, enable the agency to enhance such operations. The need for this amendment is underscored by the fact that the President's Fiscal Year 2014 budget predicts Trust Fund receipts of \$98 million dollars, which is \$8.1 million dollars, or nearly 8 percent, below Trust Fund receipts in Fiscal Year 2012.

I look forward to working with the Chairman and the Ranking Member to ensure that this amendment, if adopted, remains in the final bill this year and to continuing to work with them to ensure that the Department of Homeland Security, including CBP, has the resources it needs to adequately address the border protection challenges and drug-related violence in Puerto Rico.

Thank you.