



Congressman Pedro R. Pierluisi  
Floor Statement as Prepared for Delivery  
In Support of Amendment to H.R. 5855, the Fiscal Year 2013 Department of Homeland Security  
Appropriations Act  
*June 7, 2012*

I have an amendment at the desk that was printed in the Congressional Record as Amendment Number 16.

Mr. Chairman: Violent crime in Puerto Rico and the neighboring U.S. Virgin Islands has been on the rise since 2000, even though violent crime nationwide has decreased substantially during that same time period. Puerto Rico's homicide rate is about six times the national average. Although there are a number of reasons for this alarming spike in violence, one of the most important factors is that the U.S. government has—to its credit—substantially increased resources along the Southwest border with Mexico in an effort to stem the flow of drugs into our nation through the Central American land corridor and to reduce violence in U.S. border states. As a result, drug trafficking organizations have adapted, increasingly utilizing air and maritime routes through the Caribbean in order to supply the U.S. market, just as they did in the 1980s and the early 1990s. In 2011, Puerto Rico (with a population of 3.7 million) had nearly as many homicides as Texas (with a population of 25 million). According to estimates, three-quarters of these homicides were linked to the international drug trade.

Through various bills and accompanying Committee reports, the Appropriations Committee has taken clear notice of this issue and directed federal law enforcement agencies to prioritize counter-drug efforts in the U.S. Caribbean. Indeed, in the report accompanying the bill before us, the Committee states:

The public safety and security issues of the U.S. territories in the Caribbean must be a priority. The Committee expects that the Secretary will allocate the resources, assets, and personnel to these jurisdictions in a manner and to a degree consistent with that principle.

I want to thank the Chairman and the Ranking Member for including this important language. 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. These men and women work for the Office of Field Operations, the Office of Border Patrol, the Office of Air and Marine (which operates aircraft and boats), and other CBP components.

My amendment is designed to address a problem that has recently arisen—and one that compromises 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, including the maritime operations of CBP's Office of Air and Marine in Puerto Rico.

For many years, this arrangement worked well enough. However, recently, because of a shortfall in the Puerto Rico Trust Fund of \$1.7 million due to reduced customs collections, CBP closed a critical boat unit in San Juan that, in 2010, seized over 7,000 pounds of illegal drugs. This is because CBP 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. My amendment would simply give CBP the authority to supplement any funding from the Trust Fund with general appropriations made in this bill so that we will avoid a repeat of what happened in the case of the San Juan boat unit.

My amendment does not require CBP to spend a single additional dollar in Puerto Rico, or to prioritize Puerto Rico over other jurisdictions in any way—and the CBO has indicated the amendment has no budgetary impact. The amendment merely gives the agency the flexibility and discretion to draw upon general appropriations in the event there is a shortfall in the Trust Fund in order to fulfill its responsibilities in Puerto Rico. Adoption of the amendment will ensure that CBP's counter-drug mission in Puerto Rico is not unduly harmed. This, in turn, will promote the broader national security interests of the United States, since 80 percent of the drugs that enter Puerto Rico are ultimately transported to the U.S. mainland.

I want to thank the Chairman and the Ranking Member for including language in the Committee report on this subject, and I look forward 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 drug-related violence crisis in Puerto Rico.