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Hearing Statement of Senator Max Baucus (D-Mont.)
Regarding the Trade Facilitation and Trade Enforcement Reauthorization Act of 2013
As prepared for delivery

The American composer, Aaron Copland, once said, "To stop the flow of music would be like the stopping of time itself, incredible and inconceivable."

Like the flow of music, international trade must be orchestrated and properly executed. If trade were stopped, it could cripple the U.S. economy and cause a ripple effect around the world.

Today, we are focusing on critical legislation to reauthorize U.S. Customs and Border Protection, or CBP, and Immigration and Customs Enforcement, or ICE. These two agencies orchestrate the flow of trade and ensure shipments move smoothly through U.S. ports.

In 1979, when I joined the Senate Finance Committee, total U.S. trade in goods and services was \$472 billion. Last year, it was \$4.9 trillion. That is a 942 percent increase. Times have changed, and CBP and ICE must modernize to meet the challenges of the 21st century.

On a typical day, 365,000 entries move through U.S. ports, including more than 3,000 express entries. These goods arrive in more than 66,000 truck, rail and sea containers, as well as hundreds of aircraft carrying express cargo shipments. This is just an average. On a busy day, CBP must manage almost half a million entries.

American businesses, ranchers, farmers and consumers depend on the timely movement of all these goods across borders to remain competitive. In business, time is money. So CBP and ICE must facilitate trade expeditiously.

At the same time, CBP and ICE must ensure that our borders are secure. This is the challenge that CBP faces given the volume of today's trade.

CBP must fulfill its historic mission of collecting duties owed to the U.S. Treasury. CBP and ICE also enforce U.S. antidumping and countervailing duty laws and ensure that foreign companies don't undercut American jobs by circumventing those laws. And CBP and ICE stop counterfeit goods from entering the U.S. market.

In 2002, Congress gave CBP and ICE yet another mandate — to keep terrorists and illegal weapons out of the United States. Since then, CBP and ICE's trade missions have been put on the back burner as they have pursued their new security and law enforcement missions.

But trade and security are not mutually exclusive. CBP and ICE must effectively facilitate the flow of trade and ensure our national security.

To do this, Senator Hatch and I introduced the “Trade Facilitation and Trade Enforcement Reauthorization Act of 2013.”

The bill, which we introduced in March, gives CBP the tools and authority it needs to refocus on its trade mission.

This bill creates new high-level positions within CBP solely dedicated to trade facilitation and trade enforcement. It allows CBP to target the imports that are most likely to violate U.S. intellectual property, import safety and other laws. And it provides speedy customs clearance and other commercial benefits for importers with a strong record of compliance.

This bill also includes the ENFORCE Act, as marked up by this committee last year. The ENFORCE Act gives CBP and the private sector tools to combat the evasion of antidumping and countervailing duties. I want to commend Senator Wyden and all of the bill’s co-sponsors for working with us to mark up that bill last year, and I’m glad that we were able to include it here.

The Trade Facilitation and Trade Enforcement Reauthorization Act also provides important benefits for states like Montana. On an average day, CBP processes more than 1,000 entries through Montana ports.

This bill establishes a pilot program for 24-hour port operations. The 24-hour pilot program will help CBP determine whether round the clock operation can help manage the flow of goods across the northern border. And the bill helps Montana’s honey producers by ensuring their foreign competitors pay the required duties on their imports.

Finally, the bill requires CBP and ICE to do a better job consulting with U.S. businesses that are affected by its policies, as well as with this committee and Congress as a whole.

This bill, in short, gives CBP and ICE the tools and resources they need to refocus on their trade missions. Or, as Aaron Copland might say, it ensures that international trade is properly orchestrated, executed and continues to flow.

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