

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
GOVERNMENT AFFAIRS

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June 13, 2016

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Rogers and Ranking Member Lowey:

As the Committee prepares to mark up the Fiscal Year 2017 Homeland Security Appropriations bill, the U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, urges you to consider the following recommendations, which would promote business and economic growth, improve security, and facilitate cross-border trade and travel.

The dual role of U.S. Customs and Border Protection (CBP) is to secure the homeland and facilitate trade and travel. The Chamber supports funding CBP for additional customs officers at the ports of entry to improve security, trade, and travel facilitation. Commercial and pedestrian crossings suffer from understaffing, which increases wait times, costs industry billions, and discourages travelers and trade from approaching the border. Cross border supply chains are essential to U.S. businesses, and border delays contribute to massive uncertainty, delays and costs for business of all sizes. Investing in staffing at the ports of entry would enhance security, facilitate trade, and improve travel for the millions of business and leisure travelers crossing U.S. borders every year.

Travel and tourism is critical to business and U.S. economic growth. It is essential that the Transportation Security Administration (TSA) have sufficient resources—including additional staffing, overtime flexibility, technology, PreCheck marketing support, and canine teams—to appropriately secure and facilitate the legitimate movement of air travelers. It is abundantly clear that wait times at airports are dramatically impacting travel and tourism, and Congress should do all it can in working with the TSA to develop effective staffing models and risk-based security strategies to minimize congestion. Airlines and airports have invested dramatically to ensure the safety and convenience for their customers. Government needs to step forward to ensure both safety and convenience materializes for the millions of air travelers daily, and staff airports appropriately to meet demand.

The Chamber supports full funding for the completion of the Automated Commercial Environment (ACE) and the International Trade Data System (ITDS) single window. The ACE program would replace the Automated Commercial System (ACS), a decades old system with limited capabilities that requires significant financial support to maintain. This is not only

operationally inefficient for government, but also hurts the competitiveness of U.S. businesses. Completing these programs would decrease the transaction cost of trade, open trade to small- and medium-sized businesses, and improve targeting capabilities for government. The Chamber urges Congress to commit to fund the program in line with the President's budget request.

The Chamber also supports funding for IP enforcement to CBP, Immigration and Customs Enforcement (ICE), and the National Intellectual Property Rights Coordination Center (IPR Center). Economic analysis of resources invested in IPR enforcement has shown that every dollar spent on federal IPR enforcement efforts generates four dollars in increased tax revenues through increased jobs and economic growth. The work of ICE and CBP, individually and through coordination with other agencies engaged at the IPR Center, has been recognized and praised for its energy and effectiveness.

The Chamber supports efforts by Congress to enhance American cybersecurity. The Chamber is among the strongest advocates of the joint industry-National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity and the Cybersecurity Information Sharing Act of 2015 (P.L. 114-113). However, the Chamber opposes attempts to impose new reporting requirements on the private sector. Top-down, Washington, DC-based mandates would do little to ensure that America's critical infrastructure entities have the flexibility needed to manage risks associated with cyberattacks. Instead of regulating, policymakers should be helping the private sector detect, contain, respond to, and recover from events in cyberspace.

The Chamber urges the Committee to adopt an amendment expected to be offered by Rep. Harris that would reauthorize the H-2B visa returning worker exemption. This exemption would help American businesses and workers whose livelihoods depend upon a stable workforce to meet seasonal and peak season demand.

Lastly, the Chamber urges against adoption of amendments to prohibit so-called inverted U.S. companies from bidding on military contracts. Enactment of such provisions could reduce overall competition for federal contracts while simultaneously placing at risk the jobs of American workers who provide goods and services to the Department of Defense. Debarring contractors who are in full compliance with U.S. law undermines the principles of "full and open competition" and best value for the taxpayer that have been the longstanding cornerstones of DOD procurement policy.

The Chamber appreciates your consideration of these recommendations as you mark up the Fiscal Year 2017 Homeland Security Appropriations bill.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

R. Bruce Josten

cc: Members of the Committee on Appropriations