

April 11, 2022

The Honorable Patrick Leahy
Chairman
Senate Committee on Appropriations
437 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Richard Shelby
Vice-Chairman
Senate Committee on Appropriations
304 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Chris Murphy
Chairman
Senate Committee on Appropriations
Subcommittee on Homeland Security
128 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Shelley Moore Capito
Ranking Member
Senate Committee on Appropriations
Subcommittee on Homeland Security
135 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Fiscal Year 2023 Department of Homeland Security Appropriations

Dear Chairman Leahy, Chairman Murphy, Vice-Chairman Shelby, and Ranking Member Capito;

On behalf of the American Association of Port Authorities (AAPA), I am writing to share our Fiscal Year 2023 (FY2023) appropriations requests for the Department of Homeland Security (DHS). AAPA is the unified voice for 80 seaports around the U.S., as well as hundreds of other related businesses. As gateways to international trade, the mission of our members is to facilitate the safe, efficient movement of cargo and passengers into and out of the country. We rely on DHS, its staff, and its programs to carry out that mission and protect our country.

Port Security Grant Program

The Port Security Grant Program (PSGP) is the main federal grant program that allows ports and related organizations to make security-related upgrades and mitigate threats. It is also the only grant program that allows port authorities to purchase mandatory scanning equipment. The PSGP was created as a direct result of the September 11th, 2001 terrorist attacks, and though the nature of such attacks may have changed, the threats have not subsided.

The ongoing COVID-19 pandemic has reinforced not only the indispensability of our maritime supply chain, but also the vulnerability. In particular, a recent statistic on cyberattacks against the maritime industry cites a 400 percent increase in one year. The PSGP allows ports to make investments in a wide range of scanning and defensive equipment, including protections against hackers and other cyber threats.

To combat these challenges, AAPA urges the Committee to return PSGP to its highest appropriated level: \$400 million. We also ask that more PSGP funding flow directly to public port authorities, who were originally the intended recipients of this grant. A 2018 survey of

AAPA members showed nearly \$4 billion in security-related need at ports. However, in recent years, public port authorities have only received about 25 percent of the grant's awards.

Customs and Border Protection Staffing

Another important factor in ports' ability to move cargo and passengers safely and swiftly is adequate staffing of Customs and Border Protection (CBP) officers. AAPA members regularly report staffing shortages at maritime facilities, which slows down processing times and increases risks. Ports are currently able to enter into reimbursable services agreements with CBP — allowing ports to cover the cost of overtime for additional officers — but this program is being stretched beyond its intended purpose. We ask that Congress provide no less than \$100 million for 850 new officers to address these shortages and apportion a majority of these new officers to seaports.

CBP Facilities Demands

Finally, during the appropriations process for both FY2021 and FY2022, the Senate Appropriations Committee included report language asking CBP to a) halt the demands that ports pay for CBP facilities upgrades and b) report to Congress their needs, as well as the legal basis for their demands. Thus far, CBP has shown no willingness to respect this instruction. The point of a 'pause' is to allow AAPA and its members to keep working toward a solution to two growing problems: a) CBP's shifting of the burden of funding their inspection mission onto ports, and b) the stretching of already limited port budgets.

We ask that for FY2023, Congress include a) an admonition to halt this problematic procession and b) restrictive definitions of the types of basic facilities "reasonably necessary" for seaports to provide for CBP's inspections (in contrast to non-inspection functions such as administration, recreation, and other non-core inspection activities).

I thank you for your commitment to keeping our critical infrastructure secure and operational. Please do not hesitate to reach out with any questions or for more information.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris J. Connor", with a stylized flourish at the end.

Christopher J. Connor
President and CEO
American Association of Port Authorities