

Congress of the United States
Washington, DC 20515

April 16, 2010

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232 Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
H-107 Capitol
Washington, DC 20515

Dear Madam Speaker and Leader Hoyer:

As the Appropriations Committee drafts the fiscal year 2010 emergency supplemental spending measure, we write to urge the inclusion of funding to support efforts by the United States and Mexico to combat narcotics and organized crime. We have the privilege of representing communities along the U.S.-Mexico Border, and the violence facing Mexico is having a particular impact on our communities and our sister cities as the Mexican government clamps down on criminal organizations.

U.S.-Mexico Security Cooperation

The Merida Initiative, negotiated by the previous Administration and Mexican President Felipe Calderon, was an important step in cooperative efforts to combat illegal drug trafficking and make needed improvements to the Mexican justice system. The Mexican people have shown great resolve in this battle against deeply entrenched criminal elements, and the Mexican government - at all levels - has invested substantial resources to quell lawlessness and restore order. Despite these efforts, which are starting to show some success, a recent upswing in violence demonstrates that immediate attention, in the form of additional resources and a renewed focus on the problems our two nations face, is needed.

This need for further cooperation prompted President Obama to dispatch a delegation of top U.S. officials including Secretary of State Clinton, Secretary of Defense Gates, and Secretary of Homeland Security Napolitano to Mexico City on March 23, 2010 to discuss our shared interest in addressing crime and disrupting the flow of narcotics, weapons, and money. Additionally, President Calderon will meet with President Obama during an official state visit on May 19, 2010. During this visit, the two leaders will focus on further requirements for cooperation and funding to support Mexico's ongoing efforts.

In advance of those discussions, we urge you to consider including funds to meet urgent requirements in the emergency spending bill currently under consideration. As you know, following the March 23 visit, U.S. and Mexican leaders unveiled a framework for an expanded partnership. This four pillar approach includes continuing efforts to fight organized crime and improve justice institutions and adds creating a 21st Century border and building communities better able to resist the influence of cartels. The governments of both nations are working to translate those broad policy goals into concrete programs, and we have encouraged the Obama

Administration to share their funding priorities with Congress as soon as possible so that these important programs can be included in upcoming spending measures.

In addition to providing resources to support emerging requirements for Mexico, we also urge the Appropriations Committee to consider providing funds for the following areas to support efforts along the U.S.-Mexico border to combat drug trafficking and to aid our border communities, which are directly impacted by the ongoing violence.

Supporting Border Infrastructure and Personnel to Enhance Security and Commerce

Inadequate staffing and outdated infrastructure at our nation's land ports of entry threaten our national security and hinder the flow of trade which is critical to our national economy. The Government Services Administration (GSA) has identified over \$5 billion in needed upgrades to our border infrastructure. While building and expanding ports of entry would greatly improve border operations, it is also critical that these inspection lanes are appropriately staffed. To that end, there is a requirement to increase Customs and Border Protection (CBP) personnel by 30 percent nationwide which would augment the force by 5,000 officers, and an additional 350 support personnel and 1,200 agriculture inspection specialists are also needed. These additional positions would not only improve traffic flow at our land ports of entry but would allow for the expansion of CBP efforts to check southbound vehicles as well, a critical component of cooperative security efforts to disrupt the flow of weapons and money to Mexico in support of the drug trade. These proposals are included in the PORTS Act (HR 1655), which Congressman Silvestre Reyes crafted based on his experience as a U.S. Border Patrol Chief and working with border security experts. As you are considering opportunities to enhance our border security and trade, we hope that you and your staff will examine the PORTS Act as a blueprint for modernizing our nation's ports of entry, and we urge the Committee to include funding for much needed border infrastructure modernization and critical personnel in the supplemental spending bill. At a minimum, we request **\$70 million** to hire 500 CBP Officers to alleviate the immediate stress at our understaffed ports.

As you know, CBP depends on user fees to cover 30% of officers' salaries. In FY10, CBP has seen a decline in user-fee revenues and by the end of the year estimates a \$100 million user-fee revenue shortfall. This drop affects CBP's ability to pay immigration, cargo, and agriculture inspectors, all of whom are critical to our already under-staffed and under-resourced ports of entry. To make up for the shortfall, CBP is drawing from other sources within its budget, draining the budget of vital resources already marked for other purposes. Given the threats facing the nation and our stated goals of protecting our borders and facilitating commerce and trade, we urge you to provide **\$100 million** to CBP through the FY10 Supplemental Appropriations Act for approximately 300 CBP officer salaries. This will offset the decrease in user fees and will ensure that CBP officers are compensated for their work without having to siphon from other areas of the agency budget.

Additionally, Operation Stonegarden has provided resources to enhance law enforcement preparedness and operational readiness along the borders of the U.S. This program is designed to promote cooperation and coordination among federal, state, local, and tribal law enforcement agencies in a joint mission to secure U.S. borders. Because this source of funding is often the only federal resource available to local law enforcement agencies in rural areas, an increase is needed to

keep up with the law enforcement demands of the border, especially at a time when we are trying to prevent the spread of violence from Mexico. We request an additional **\$50 million** in FY10 for Operation Stonegarden for the U.S. Mexico border.

Increasing Funding to hire Border Patrol Agents and Combat Corruption

Ensuring robust levels of field agents is critical to achieving operational control of the border. We urge you to provide **\$32.2 million** for 207 additional Border Patrol Agents to help the agency meet its commitments to secure our borders without straining their existing human resources or having to deplete assets from other areas.

Moreover, at a Senate hearing on March 11, 2010, James Tomsheck, assistant commissioner with U.S. Customs and Border Protection's Office of Internal Affairs, testified that members of Drug Trafficking Organizations have attempted to join the Customs and Border Patrol to corrupt the organization. CBP has the goal of screening all applicants through polygraph testing. However, inadequate staffing hinders the ability of CBP to screen all new employees and conduct re-investigations of existing employees using these tests. Further funding to increase the number of polygraph examiners would enable the agency to reach its goal of requiring all applicants to take a polygraph test before they are hired and allow CBP to conduct re-investigations of current employees. We urge you to provide **\$39.6 million** for background investigations, including periodic re-investigations and polygraph capabilities.

Developing the Law Enforcement Communications Capability in Remote Areas Along the Border

Enhancing the communication capabilities of both law enforcement and civilians in remote areas along the border is also a critical need. CBP has an antiquated communications system in certain border sectors, and remote areas along the border do not have communications infrastructure in place. Improvements are needed to foster and enable better communication networks, and we ask that you provide **\$200 million** to support communications capabilities in remote areas along the border.

Reimbursing Border Communities for Uncompensated Health Care Costs and Developing Trauma Capability in Ciudad Juarez

As Members representing border districts, we have seen first hand the impact the violence has on communities on both sides of the border. One consequence of the violence in Mexico has been the steady flow of individuals shot or otherwise wounded by drug cartels across the border to U.S. hospitals in search of medical care. Health care providers have been forced to absorb emergency care costs, which continue to rise, leaving local taxpayers to cover the cost. We urge the Committee on Appropriations to provide **\$10 million** to compensate border region health care providers as they respond to the effects of ongoing cartel violence in Mexico and to develop trauma capability in Ciudad Juarez.

We greatly appreciate your past support for the Merida Initiative and other cooperative efforts to address drug trafficking and organized crime. We are also grateful for your past support to border

communities so that they can cope with the many challenges they face as they deal with the increasing problems wrought by criminal organizations. Your consideration of these requests is important to further both the Merida Initiative and to address the urgent needs detailed in this letter. The will of governments and communities in the U.S. and Mexico to combat criminal elements is strong and United States Congress must continue to honor that resolve with needed funding to aid those serving on the front lines at this critical juncture.

Sincerely,



Ruben Hinojosa

Harry Teague

Chris Rodriguez

Giffords



Bob Filner

Henry Allen

Susan A. Davis

cc: Congressman David Obey
Congresswoman Nita Lowey
Congressman Jose Serrano
Congressman David Price