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Hatch Opening Statement at CBP Nomination Hearing

WASHINGTON – Senate Finance Committee Chairman Orrin Hatch (R-Utah) today delivered the following opening statement at a Finance Committee hearing to consider the nomination of Kevin K. McAleenan to serve as Commissioner of U.S. Customs and Border Protection:

In 2015, this committee successfully drafted and reported the Trade Facilitation and Trade Enforcement Act, which was later signed into law by President Obama. Thanks to that effort, Mr. McAleenan, if confirmed, will be the first commissioner to oversee CBP as a fully authorized agency.

Mr. McAleenan, welcome to the Finance Committee. We appreciate your willingness to serve in this important position.

CBP is the United States' unified border agency, charged with facilitating legitimate trade and travel, while enforcing U.S. trade laws and securing our borders. There is a great deal of work to be done to improve enforcement, but this mission should not come at the expense of legitimate trade and travel. Striking the right balance is vital to ensuring that the United States remains competitive with the rest of the world.

Balancing facilitation and security will require CBP to work with stakeholders in and out of the government. As CBP seeks to strengthen and streamline trade enforcement, including the protection of intellectual property rights, the agency must not forget the important role that the private sector can play. As an example, the private sector uses information that CBP shares on counterfeits stopped at the border to prevent future shipments from happening. The private sector can also alert CBP to importers trying to circumvent our anti-dumping and countervailing duty laws.

Coordination with other government agencies is also important.

For example, the international mail system is used to traffic narcotics, counterfeits, and other products that pose health and safety risks to Americans. Congress authorized the Postal Service

and CBP to collect electronic information on postal shipments in 2002, and these agencies must use this authority to close this security gap.

CBP must also ensure that its regulations clearly outline the rights and responsibilities of stakeholders.

For example, the Trade Facilitation and Trade Enforcement Act of 2015, the law I referred to earlier, improved enforcement against goods manufactured with forced labor. CBP needs to update its regulations to inform stakeholders about the type of information necessary to make a proper allegation against an import and to provide necessary guidance for stakeholders to address such allegations.

Long story short, Mr. McAleenan has a tough job ahead of him. However, I believe he is well-prepared and well-qualified to serve in this capacity, and I look forward to discussing his qualifications and his views here today.

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