



For Immediate Release
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**Hearing Statement of Senator Max Baucus (D-Mont.)
Regarding the Nomination of Alan Bersin to be Commissioner of Customs**

Theodore Roosevelt said: “the virtues of courage, honor, justice, truth, sincerity, and hardihood . . . made America.”

Mr. Bersin, President Obama has appointed you Commissioner of Customs and Border Protection, or CBP. As such, you and the agency that you lead must display the traits that President Roosevelt defined as indelibly American. You must show courage, honor, justice, truth, sincerity, and hardihood.

You, and the agency that you lead, are the face of America. Customs agents represent America to millions who cross our borders every year.

When Americans return home from foreign soil, your agents greet them. When immigrants reach our borders, your agents meet them.

When merchandise flows across our borders, your agents facilitate trade. When foreign merchants send goods to our country, you enforce our trade laws.

And when wrongdoers send hazardous products to our shores, your agents work to protect us.

Mr. Bersin, you have a tall order.

Customs and Border Protection has a twin mission. It helps to maintain our economic security. And it helps to defend our national security.

As you pursue your tasks as Commissioner, you must commit to carrying out both of your agency’s twin missions. And you must do so with equal fervor.

You must remember that your agency’s historical mission is to facilitate international trade. From the beginning, it enforced America’s trade laws. And you must renew and strengthen your focus on this historical trade mission.

You must do so, not at the expense of your security mission, but in concert with it. I expect you to bring as much sincerity and hardihood to this task as I know you will bring to securing our nation's borders.

International trade is a vital component of the American economy. In 2009, America imported more than \$1.5 trillion of goods. Our economy simply cannot function without the smooth flow of international trade.

Last summer, Senator Grassley and I introduced the Customs Facilitation and Trade Enforcement Reauthorization Act. And we hope that this Committee and this Congress will address customs reauthorization this year.

As the Commissioner of Customs, you must carry out your duties and represent America with courage, honor, and truth. And you should display these virtues in your personal life, as well as your professional capacity.

At the heart of your credibility as the Commissioner of CBP will be enforcement of the laws about whether employees are legally able to work here. And this duty goes to the heart of the responsibilities of the Department of Homeland Security.

Mr. Bersin, while the Finance Committee was vetting your nomination, we discovered that you failed to properly complete and maintain Employment Eligibility Verification forms, or I-9s. You failed to do so for any of the 10 household employees whom you employed over the past two decades.

As the person responsible for securing our nation's borders, your failure to follow the law in this matter is unacceptable.

During the April recess, President Obama exercised his power to make recess appointments. Among those appointments was yours. The Constitution gives the President that right.

But it is also the right of the Senate, and the role of this Committee, to review your record and decide whether you will be allowed to continue your service beyond 2011.

This Committee has a Constitutional responsibility to the American people to carefully review nominations in its jurisdiction. And as a nominee for Commissioner, you have a responsibility to provide complete and honest information.

Now, however, you have been appointed. And it is now your duty both to facilitate our economic security and to ensure our national security.

As you do so, I urge you to consider carefully the traits that President Roosevelt described as quintessentially American. I urge you to adopt those traits as you fulfill your new leadership responsibilities. And I urge you to conduct yourself, and your agency, in a manner that brings pride to your office, your people, and your country.

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