



Committee on Transportation and Infrastructure
U.S. House of Representatives

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May 13, 2016

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Economic Development, Public Buildings and
Emergency Management
FROM: Staff, Subcommittee on Economic Development, Public Buildings and
Emergency Management
RE: Subcommittee Hearing on “Border Station Construction: Minimizing Costs and
Leveraging Private Dollars”

PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will hold a hearing on Wednesday, May 18, 2016, at 10:00 a.m., in 2253 Rayburn House Office Building to examine and conduct oversight of the construction and upgrades at land ports of entry (LPOEs), also known as border stations. The hearing will focus on the General Services Administration’s (GSA) and Customs and Border Protection’s (CBP) current and planned land ports of entry projects authorized by the Committee as well as how non-federal and private dollars can be leveraged, including through the Public-Private Partnership (P3) pilot program established in the Consolidated Appropriations Act, 2014 to allow for private donations of real property at LPOEs.

BACKGROUND

GSA’s Public Buildings Service

GSA’s Public Buildings Service (PBS) acts as the landlord for the federal government and owns or leases over 377 million square feet of space in 9,600 buildings nationwide. Pursuant to law¹, large real estate projects, including new construction, purchases, commercial leases, and repairs and alterations, costing over \$2.85 million annually must be authorized by the House Committee on Transportation and Infrastructure (T&I Committee) and the Senate Environment and Public Works Committee (Senate EPW). This is often referred to as the “prospectus process.”

¹ 40 U.S.C. § 3307

In addition to Committee authorization, funds deposited into the Federal Building Fund (FBF) are subject to appropriation. Given the requirement for both the authorizing and appropriating committees to act, the Administration submits, along with its annual budget, GSA's Capital Investment and Leasing Program (CILP) each year. The CILP provides more detailed prospectuses for each project proposed. The T&I Committee and Senate EPW authorize proposed projects submitted in the prospectuses through a committee resolution.

Land Ports of Entry (Border Stations)

There are 167 land ports of entry (LPOEs) in the United States, 22 of which are leased, 102 are owned by GSA and 43 are owned by CBP. While CBP owns 42% of the LPOEs, GSA owns and manages all of the largest LPOEs particularly along the southern border. Daily, about \$2 billion in trade crosses through the border crossings, along with 350,000 vehicles, 135,000 pedestrians, and 30,000 trucks.²

LPOEs typically house various federal agencies that have a responsibility for screening people, products, and vehicles crossing the border. Generally, in addition to CBP, other agencies that have a presence at LPOEs include the Department of Transportation's Federal Highway Administration, the U.S. Food and Drug Administration, the U.S. Fish and Wildlife Service, the Centers for Disease Control, the Bureau of Immigration and Customs Enforcement, the Transportation Security Administration, the U.S. Border Patrol, and the Department of Agriculture.

Given the amount of traffic using the Nation's border stations, how critical LPOEs are to commerce and security, and the wide array of federal operations required, addressing the infrastructure requirements at the most heavily used LPOEs is critical.

Recent Proposed and Authorized Projects³

Since Fiscal Year 2014, GSA has submitted and the Committee has authorized prospectuses for construction and alteration projects at key LPOEs to address critical infrastructure needs. Key projects have included:

Calexico, California: The space required to accommodate modern inspection requirements and technology was not available so the facility is being expanded. This LPOE is a pedestrian and vehicle inspection facility constructed in 1974. The current project includes the creation of new and expanded pedestrian and private vehicle inspection facilities to include expanded inspection lanes, new administrative space, and security inspection stations. The total estimated project cost is \$370 million. The Committee has fully authorized the project.

San Ysidro, California: This LPOE was constructed in 1973 and no longer supported the CBP mission. GSA proposed expansion and reconfiguration to improve pedestrian, non-commercial traffic, and officer safety. The volume of high seizures, arrests and apprehensions made these improvements the highest priority for CBP. This project was proposed in 3 phases. Phase 1 expanded the capacity of the port to process traffic, including construction of new inspection

² Land Ports of Entry, GSA Public Buildings Service Brochure.

³ This section cover projects authorized or proposed since FY2014 only.

booths, new secondary screening and main head house, and a new pedestrian facility. Phase 2 replaces the processing buildings, constructs a new administration and pedestrian processing building, and a central holding facility. Phase 3 would include a new southbound connection and new inspection facilities. The total estimated project cost for all three phases is \$741 million. More than 71% of the project has been authorized.

Laredo, Texas: The facilities at this LPOE were old and outdated. GSA proposed construction to expand and modernize two of the four LPOE facilities to improve efficiency, safety and security for vehicular and pedestrian traffic. The total estimated project cost is \$61 million. The Committee has fully authorized the project.

Alexandria Bay, New York: The existing LPOE does not meet the operational needs of the inspection agencies at the port, including the lack of an adequate commercial cargo inspection facility, inadequate queuing area, and the existing building barely has enough space to unload a single truck. The proposed project includes two phases. Phase 1 includes the construction of a commercial inspection warehouse, commercial inspection lanes, a new veterinary services building, an impound lot, a portion of elevated parking, and the acquisition of two parcels of land. Phase 2 will include construction of an administration building, a new inspection facility, non-commercial lanes, and a non-commercial secondary inspection plaza. The total estimated project cost is \$226 million. The Committee has fully authorized the project.

Columbus, New Mexico: This LPOE was built in 1989. Since that time, there has been a significant increase in traffic and additional growth is expected. The proposed project would construct a new replacement LPOE to expand the facilities and incorporate site improvements to address significant storm water drainage issues. The total estimated project cost is \$96 million. The Committee has fully authorized the project.

Pembina, North Dakota: Submitted as part of FY2017 CILP, GSA proposes construction of a new facility for the Department of Agriculture Animal and Plant Health Inspection Service (APHIS) at the Pembina, ND LPOE. A new facility would address concerns with the current use of a temporary modular trailer, improve the traffic configuration, place all APHIS operations on the U.S. side of the U.S./Canada border and eliminate lease payments of approximately \$317,000 annually. The total estimated project cost is \$5.7 million.

Public Private Partnerships

Section 559 of the Consolidated Appropriations Act, 2014 (Public Law 113-76) established a pilot program to allow CBP and GSA to enter into P3's to allow for donations to provide for certain services, equipment, and real property at LPOEs. Real property donations can only be accepted at new or existing GSA-owned LPOEs and existing CBP-owned LPOEs and may include new facilities, existing facility improvements, and real estate. Since passage of the 2014 law, three donation proposals involving real property have been approved, including:

- **City of Donna, Texas:** The city proposes to donate an inspection booth and related infrastructure.
- **City of El Paso, Texas:** The city proposes to remove traffic medians leading to primary commercial inspections to streamline the flow of traffic.

- **City of Pharr, Texas:** The city proposes to donate two commercial inspection booths and related infrastructure.

In addition to the P3 language enacted as part of the 2014 appropriations act, more recently, P3 language was included as part of another bill, H.R. 3586, the Border and Maritime Coordination Improvement Act, referred to the Committee on Homeland Security and the Committee on Transportation and Infrastructure. H.R. 3586 passed the House on April 13, 2016. The provisions included in H.R. 3586 would further refine and focus the P3 pilot program and extend the real property donation pilot program another five years.

CONCLUSION

The hearing will focus on current and planned land ports of entry projects as well as how non-federal and private dollars can be leveraged.

WITNESS LIST

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