

# Independent 30-Day Review Finds CBP Selected Recovery Act Port Projects Based on a Transparent, Merit-Based Process



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## *DHS realizes average savings of 25 percent per port project*

An independent 30-day review conducted by senior career officials from across the federal government found that U.S. Customs and Border Protection (CBP) selected American Recovery and Reinvestment Act (ARRA) land port of entry projects based on a transparent, merit-based process and used reasonable and well-justified cost estimates.

"This review validates the thorough, transparent and merit-based processes the Department has used to distribute its Recovery Act dollars for projects vital to our economic and national security," said Secretary Napolitano. "Through smart management and the hard work and dedication of CBP employees, we have driven down the cost of current projects by an average of 25 percent per port project. The Department shares the goals of our partners in Congress to strengthen the security of our borders and ensure the safety of our officers working on the front lines while driving down costs by cutting any elements of these projects that are not mission-critical."

The independent committee—comprised of experts in security, construction, contracting, and procurement—determined that CBP's plans were "based on a set of practical, thoughtful and thorough criteria that allows CBP to meet the goals of the Recovery Act while simultaneously addressing CBP's pressing recapitalization needs." The committee concluded that, by utilizing independent government cost estimates, competitive procurement processes and substantial consultation with field, architectural and engineering specialists, CBP followed "merit-based processes that avoid lavish spending on the new facilities."

The review - echoing concerns raised by Congress, the GAO and the DHS Inspector General on the current state of our Northern Border ports of entry - expressed alarm that, without new construction, the ports fail to "provide the tools needed...[to] guard against terrorist threats," endangering law enforcement personnel and falling far short of post-9/11 security standards.

In response to the recommendations in the review, Secretary Napolitano has directed CBP to proceed with its current port modernization projects to address critical national security needs within the timelines prescribed by the Recovery Act; redeploy any cost savings accrued through the current port modernization projects to additional CBP-owned ports of entry within the timeline prescribed by the Recovery Act; and continue reviewing contract awards for non-essential capital costs. If any are found, CBP will redeploy savings to additional port modernization projects.

The Secretary has also directed the Deputy Secretary to ensure guidelines are in place to ensure appropriate oversight and maximize efficiencies for all DHS real property projects.

In September, Secretary Napolitano ordered a 30-day review of all CBP Recovery Act port projects to provide even greater transparency into the selection process. The review was completed by senior career officials from across the federal government who did not participate in the initial decision making. It was led by the highest ranking career official in the DHS Office of the General Counsel and included representatives from the Department of State and Office of National Drug Control Policy and individuals with expertise in security, construction, contracting and procurement. The committee examined the process by which ports were selected for Recovery Act funding, and studied how cost estimates were derived, how funding was awarded and how savings could be utilized. During the review, no new contracts were let. This review followed a recent report by the DHS Inspector General that called CBP's expenditure plans "practical, thorough and comprehensive."

ARRA provided \$720 million to CBP and the General Services Administration (GSA) to improve security at land ports of entry. Congress allocated \$420 million to CBP specifically for CBP-owned land ports of entry and GSA received \$300 million specifically for GSA-owned ports of entry. Of the 43 CBP-owned ports of entry, 39 are located along the Northern Border, where the average age of the ports is more than four decades old. In total, 33 CBP-owned land ports of entry are expected to receive ARRA funds for full modernization projects (an increase from 23 in the original April 2009 spend plan) and eight CBP ports will receive funding for emergent repairs.

To view the 30-day review report and Secretary Napolitano's response to the report, visit [www.dhs.gov](http://www.dhs.gov).

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[30-Day Review of Spending by U.S. Customs and Border Protection under the American Recovery and Reinvestment Act for Construction of Land Ports of Entry](#)  
*(PDF - 33 pages, 571 KB)*

[30-Day CBP Port Modernization Review: Summary and Department Response](#)  
*(PDF - 4 pages, 55 KB)*

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