

United States Senate
WASHINGTON, DC 20510

August 8, 2007

The Honorable W. Ralph Basham
Commissioner, Customs and Border Protection
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229


Dear Commissioner Basham,


As you know, the SAFE Port Act required the Department of Homeland Security to issue a rulemaking to establish minimum standards and procedures for securing cargo containers en route to the United States. The Act required that the Department publish an interim final rule with these standards and procedures by April 2007. The Department missed this deadline and instead wrote to Congress, explaining that more time was needed to develop technologies, such as a container security device (CSD), to secure containers. We are disappointed that the Department has not yet established standards which would allow industry to develop technology that would to meet the standards. We encourage the Department to comply with the SAFE Port Act's legislative mandate as expeditiously as possible.

We understand that the Department has now developed standards for a CSD, but that those standards are still under review. Once these standards are released, industry can submit devices for testing and certification by the Department. CSDs meeting these standards should be quickly adopted as part of a comprehensive, risk-based approach to maritime cargo container security.

We urge you to move quickly to release reasonable requirements for CSDs, to allow available technology to be tested and evaluated. It is important that we actively engage industry to find a working technology now. Once effective technologies and devices are identified, we urge you to swiftly rollout the use of CSDs in a phased-in manner to allow CBP and shippers to adjust to their use.

Sincerely,


Ron Wyden
United States Senate


Gordon H. Smith
United States Senate

Joe Lieber

Susan M. Collins

Hillary Rodham Clinton Chuck Schumer

Patty Murray

Robert Menendez