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**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION**
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Wednesday, April 13, 2022
10:45 AM
State Capitol, Teleconference

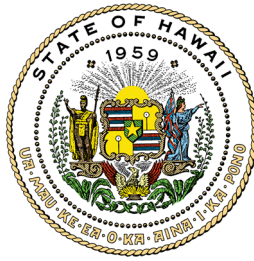
**S.C.R. 84
REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF HARBOR INSPECTION
PROCEDURES OF STATE DEPARTMENTS AND FEDERAL AGENCIES FOR
SHIPPING CONTAINERS TO PREVENT THE IMPORTATION OF ILLEGAL
FIREWORKS INTO THE STATE.**

House Committee on Transportation

The Department of Transportation (DOT) provides **comments** on S.C.R. 84, requesting the auditor to conduct an audit of harbor inspection procedures of state departments and federal agencies for shipping containers to prevent the importation of illegal fireworks into the state.

The inspection of shipping containers falls under the jurisdiction of the federal government, specifically the United States (U.S.) Department of Homeland Security. As part of the U.S. Department of Homeland Security, the U.S. Coast Guard maintains jurisdiction to inspect domestic shipping containers and the U.S. Customs and Border Protection maintains jurisdiction to inspect foreign shipping containers.

Thank you for the opportunity to provide testimony.



HOUSE COMMITTEE ON TRANSPORTATION
The Honorable Henry J.C. Aquino, Chair
The Honorable Gregor Ilagan, Vice Chair

**S.C.R. NO. 84 REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF HARBOR
INSPECTION PROCEDURES OF STATE DEPARTMENTS AND FEDERAL
AGENCIES FOR SHIPPING CONTAINERS TO PREVENT THE IMPORTATION OF
ILLEGAL FIREWORKS INTO THE STATE.**

Hearing: Wednesday, April 13, 2022, 11:00 a.m.

The Office of the Auditor has concerns about S.C.R. No. 84, which requests the auditor conduct an audit “of current harbor inspection procedures of state departments and federal agencies for out-of-state and interisland arrivals of shipping containers to prevent the importation of illegal fireworks into the State.”

First, we do not have the authority to audit the performance of *federal* agencies. Our authority is limited to audits of “all departments, offices, and agencies *of the State* and its political subdivisions.” Hawai‘i Revised Statutes § 23-4(a) (emphasis added).

Second, it is our understanding that there currently is *no* inspection of incoming cargo at the State’s harbors for the purpose of preventing the importation of illegal fireworks. According to a report issued in 2019 by the Legislative Reference Bureau (LRB), “[t]he Department of Agriculture is . . . the *sole state agency* with the authority to search domestic cargo, and its inspections are generally limited to searches for agricultural pests.” LRB’s report was to “update the findings and recommendations” of the Illegal Fireworks Task Force that had been created by the 2010 Legislature to develop a plan and make recommendations to “[s]top the importation of illegal fireworks and explosives into Hawai‘i.” Both the LRB report and the report issued by the Illegal Fireworks Task Force in 2011 are referenced in the concurrent resolution.

If there is no current state agency inspecting cargo at the harbors for any purpose other than to look for agricultural pests, there is no agency program or action relating to the inspection of incoming shipping cargo to stop the importation of illegal fireworks for us to audit. Stated differently, a performance audit assesses how a state program is performing activities that are key to achieving the program’s statutory mission. We examine, among other things, the agency’s procedures and other controls relating to those activities. However, where an agency is not doing anything in a particular area, as in the case of inspections of incoming shipping cargo to stop the importation of illegal fireworks, there is nothing – i.e., no agency performance – for us to audit or assess.

For the reasons above, we are concerned that the work being requested may be of little value and may limit our capacity to conduct other audits.

Thank you for considering our testimony related to S.C.R. No. 84.

SCR-84

Submitted on: 4/8/2022 5:03:16 PM

Testimony for TRN on 4/13/2022 10:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Hawaii dose not have a Problem with Fireworks But we do Have a BIG problem with Child SEX trafficking, Drug Trafficing and other Felonies going on at our Docs. We need an Investigation in to this NOW. Leave the Fireworks allone and work on the REAL PROBLEMS Or we will have to Make alot of Changes!!!