

TESTIMONY BEFORE THE HOUSE COMMITTEE ON HOMELAND SECURITY

“THE WESTERN HEMISPHERE TRAVEL INITIATIVE: PERSPECTIVES OF A COMMUNITY ON THE U.S – CANADA BORDER

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Chairman Thompson, Congresswoman Slaughter and Members of the Committee, thank you for inviting me to testify. My name is Howard Zemsky - I’m speaking on behalf of the Buffalo Niagara Partnership, our regions largest business association and on behalf of the Bi-National tourism alliance, a not for profit organization dedicated to reducing barriers across the Niagara River Crossings. Thank you for coming to Buffalo.

We are here to discuss WHTI which came out of the Intelligence Reform and Terrorism Prevention Act of 2004, which called for a passport or “other secure document or combination of documents to be presented on seeking entry to the U.S”.

This is a Homeland Security Committee and I know that all the businesses represented by my remarks do recognize the overwhelming responsibility that falls to DHS in providing homeland security. We believe there are ways to address security concerns that will both increase our security and ensure the free and fair flow of people and products that are so important to our way of life and our economy.

We have shared a peaceful 3,000 + mile border with Canada for almost 200 years. Our relationship is extraordinary- we share the world’s largest trading relationship between any two nations. An estimated 1.2 billion in trade crosses the US-Canada border DAILY- supporting 5.2 million jobs, this relationship is clearly not just of local or northern interest it is clearly our national interest at all levels. Last year Canadians visiting the U.S spent

approx 10.0 billion. About 4.0 million Canadians visit N.Y State on an annual basis- many hundreds of millions of dollars of impact- the majority come from Ontario, our northern neighbor. For us locally, you can best understand the Niagara River by thinking about the way you navigate the Potomac River in the D.C area, you cross it every day. It's that way for us, we live and work and play on both sides of the river. The health of our economies including our local manufacturers that both receive and supply parts on both sides of the border in a just in time fashion as well as our tourist industry, our cultural organizations, many colleges and universities, retailers including our largest retail centers, our professional sports teams are all dependent on Niagara River Crossings. So, from a national perspective (our largest trading partner in the world) a State perspective and certainly a local perspective, we have to get WHTI right, it's simply too important not to.

My first testimony on this same subject was in November 2005. When you think about the rate of progress on this subject over the past years, you can understand how the business community is skeptical that we can implement WHTI at land crossings in less than a year. At previous hearings we were told by DHS that their hands were tied by the legislation which mandated 1/1/08. But the legislation has been changed in response to the obvious inability to properly execute by than to June 1 09. Given the importance of getting it right, why aren't we taking the time that is now legislated ? Instead, we create more confusion by coming up with yet another date- June of 08. It was hard enough for people to keep track of the last dates, different for land and sea, on top of different documents – is it nexus or drivers license or birth certificate or notarized birth certificate, or passports, is it Jan 08, June 08, June 09???? All of these have been reported. Is it any wonder the public is confused??? We sure haven't gotten it right so far.

It's awfully hard to imagine that security is enhanced by the confusion and congestion at our land crossings. We think we're headed for trouble:

Does anyone really believe that given the frequency of river crossings in our community a traditional passport is really the appropriate document-would you want to use one to cross the Potomac? It is clumsy and generally kept in a safe deposit box not a glove compartment or a wallet or handbag. Furthermore we are all aware of the severe backlog in processing passports- a backlog we were assured in this same building by DHS only a

few months ago was not going to occur, has in fact occurred. Worse, once the land rule becomes a reality we should expect an even greater backlog as there are many times more people crossing the U.S Canada land border than by air. We believe the summer of 08 is not realistic and recommend planning for a later implementation date of June 09.

With respect to the passport card, we all know this card is still in the planning stages and is no where near being available in wide circulation by early 2008. We recommend planning for a later implementation date of June 09.

With new I.D's, RFID reader technology at most border crossing points, state issued Ids to be negotiated, and many more items of concern, we do not have the time nor resources available to implement WHTI by summer of 08. Implementation prior to DHS being fully ready at all border crossings will cause severe delays at crossings, create drops in number of crossings and create chaos and security concerns that is easily avoidable. By implementing June 09 DHS has the time needed to fully prepare for the new rules.

The vast majority of border crossings are made by only 400,000 people at 3 crossing points- Detroit, Buffalo and Bellingham. If we can establish a viable system of identification and induce these people to use it customs officials will be able to devote much more time to travelers they do not know. This enhances security.

We are in favor of secure WHTI drivers licenses. It has multiple uses, is inexpensive and can be acquired at multiple locations. However these programs have no chance of being widely available by the summer of 08 let alone early 08. Time should be provided to the states, provinces to engage with DHS and the Canadian Government to create agreements on the format of the licenses, and implement these programs before WHTI is implemented. We should take advantage of the Washington State pilot program and to identify problems with the system and apply solutions across the nation.

When a plan for WHTI is realistically developed it should be supported by an extensive communications plan to inform the public. Currently we have nothing but confusion.

When seek Congress to mitigate the cost of implementing WHTI compliant licenses as a matter of national security.

We understand the logic in improving documentation requirements for border crossings. We support that. Events have shown terrorism is real and we must all take national security very seriously. At the same time we must take economic security very seriously. Here in Buffalo our geography has always played a key role in our economy. Historically it has been our strategic location along the east-west trade routes. In modern times it is our strategic location along north-south trade and travel routes. We must be thinking of how we can facilitate more trade and tourism with Canada, not less. We seek physical security and economic security and we shouldn't settle for anything less.

Thank you for the opportunity to share our thoughts today.