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May 15, 2012

The Honorable Janet Napolitano
Secretary of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20393

Re: Peace Bridge

Dear Secretary Napolitano,

As you continue negotiations on the execution of the directives established in the Beyond the Border Action Plan, I strongly encourage you to continue steadfast on efforts to implement a truck cargo facilitation pilot project at the Peace Bridge that is comprehensive and meaningful. I appreciate your support of considering the Peace Bridge as a location for this pilot up to this point. I hope that the support you have expressed to me has been relayed to your team and has helped negotiations move forward with the Canadian government.

The concept of commercial pre-clearance at the Peace Bridge has been oft-discussed over the past decade in various forms. The proposal at issue is a workable compromise between the conflicting authorities of American and Canadian laws and regulations. If implemented as planned it will have the practical effect of drastically decreasing commercial wait times and cutting down on idling diesel engines in a largely residential neighborhood. Along with a growing list of partners in government and the private sector in Western New York and Southern Ontario, I support this proposal and urge you to find all means necessary to approve it as it will provide a myriad of economic and life quality benefits for the community I serve.

As a member of the Committee on Homeland Security and the Border and Maritime Security Subcommittee, I appreciate the Department's efforts to expand trusted traveler programs at both the northern and southern borders. While I understand the logic of using the truck cargo facilitation pilot as a way to expand usage of the Free and Secure Trade Program (FAST) for commercial trucks, given that most trucks that utilize the Peace Bridge do not participate in FAST, any proposal to expand the use of FAST must also be accompanied by consideration of full commercial pre-clearance pilot like that proposed by the Peace Bridge Authority.

I applaud the Department's willingness to consider innovation at the land ports of entry to address longstanding bottlenecks. I also appreciate that this collaborative effort with our Canadian partners represents something of a paradigm shift in the operations of border patrol employees – particularly in dealing with two sets of legal authorities and CBP workers operating booths at Fort Erie. I know that the Department and Customs and Border Protection and the highly experienced professionals that you employ are up to the challenge of implementing these plans and have the wherewithal to make such plans happen. Knowing the history of the Peace Bridge border crossing and the importance of predictable and reliable traffic flow at the border for the region's future, the stakes couldn't be more important for the Western New York community.

Again, I urge you to continue to move toward swift adoption of these plans. The Beyond the Border Action Plan set forth a September 30th, 2012 deadline for implementation of this pilot, so I look forward to continue to working with you on this issue and working through any outstanding issues that remain.

Sincerely,



BRIAN HIGGINS
Member of Congress

Cc: The Honorable Alan Bersin, Assistant Secretary, International Affairs and Chief Diplomatic Officer
Acting Commissioner David V. Aguilar, U.S. Customs and Border Protection
Acting Deputy Commissioner Thomas Winkowski, U.S. Customs and Border Protection