



Border Trade Alliance
Alianza del Comercio Fronterizo
Alliance du Commerce Transfrontalier

August 22, 2007

The Honorable Michael Chertoff
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Mr. Secretary:

The Border Trade Alliance (BTA) strongly objects to the recent policy adopted at your direction by Customs and Border Protection (CBP) to manually check and enter at least 60 percent of U.S. citizens' driver's license information when crossing at all land ports-of-entry along our international borders with Canada and Mexico.

This policy has further contributed toward the already unacceptable wait-times experienced at our land ports. Long lines of traffic waiting to cross bridges, drive through tunnels and enter into the CBP inspection zones present serious safety and security concerns. Additionally, the long lines represent lost economic activity as they reduce the efficiency of cross-border trade and commerce.

Contrary to recent statements made by CBP representatives, the manual checking and entering of driver's license information has never been the norm at land ports of entry. Furthermore, the BTA has long supported efforts to increase security at our ports by changing the norm into more secure, effective and efficient programs. This current policy does not meet any of those objectives, nor does it pass the common-sense test. State-issued driver's licenses in current form do not provide proof of citizenship nor should they be considered secure documents. The General Accounting Office (GAO) has repeatedly reported to Congress on the ease in which its investigators have crossed our borders using counterfeit driver's licenses. Finally, there has been no information shared with the public on how the Department of Homeland Security (DHS) or CBP plan to safeguard the privacy of U.S. citizens' information that is being collected as a result of this policy.

In light of this most inefficient policy and the implications resulting thereof, we recommend to you the following:

- The BTA requests the opportunity to provide you with an accurate assessment of the situation at our land ports of entry, the challenges we are facing as a result of the current policies and possible solutions.
- A clear and coordinated communication effort to the public informing them of the documentation requirements that will be implemented at the land ports of entry.
- Expedite pilot projects that test the use of driver's licenses and PASS cards at the land ports of entry.
- Conduct an assessment of current policies and programs implemented at the ports of entry, such as US-VISIT, C-TPAT, FAST, SENTRI and NEXUS and evaluate their effectiveness and leverage their best practices.
- Review the enclosed summary of BTA's recommendations previously shared with DHS.

Mr. Secretary, all of us were affected by the horrible tragedy that occurred on September 11, 2001. The terrorists were aiming to attack our way of life by threatening not only our homeland security, but our economic security as well. Let us not appease them by overzealously implementing policies that show a strong fist but do little to actually secure our borders. As an organization representing the livelihood of 1.8 million individuals affected by cross-border trade and as a member of the Secure Borders Open Doors Advisory Committee that reports to DHS and the Department of State, we insist that you immediately end this counter-productive policy. Part of the mission of the Department of Homeland Security is to, "ensure that the overall economic security of the United States is not diminished by efforts, activities, and programs aimed at securing the homeland." Clearly, the recent policy adopted by DHS at our land ports of entry is detrimental to the overall economic security of the United States, and contradicts the very mission of which this department was founded.



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Sincerely,

Pete Sepulveda
Chairman

Art Macias, Jr.
Vice-Chairman

Maria Luisa O'Connell
President

Enclosure



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BTA Recommendations:

Increased Border Wait-Times

- Inter-departmental coordination to address the underlying causes for the increased wait-times at the border. Coordinating efforts by DHS, the Department of Transportation and the General Services Administration to address infrastructural challenges and security procedures for persons and cargo that contribute to increased wait-times.

Western Hemisphere Travel Initiative

Successful implementation of this program requires:

- Careful consideration of the economic impact on border communities, which are integrally linked to cross-border tourism and industry;
- The availability of an alternative travel document that is not cost prohibitive **prior to** implementation of the passport requirement at land and sea ports-of-entry;
- Seamless installation of necessary technological infrastructure at all ports-of-entry;
- Community outreach to educate the public about the program's requirements, including information about the implementation of the PASS Card or alternative passport document;
- Establishment of a single date of implementation, eliminating the inefficiency and confusion caused by continually changing document requirements, such as the January 2008 requirement of two forms of federally-issued documents as proof of citizenship;
- Transference of lessons learned and best practices established in implementing US-VISIT to WHTI as it is implemented at land and sea ports-of-entry;
- Expediting real-world testing of WHTI program implementation through the use of pilot projects such as the collaborative agreement between Washington State and DHS;
- Leveraging of existing programs and technology to ensure a successful implementation of secure-traveler programs such as WHTI.

Recommendations for US-VISIT

- The Department of Homeland Security (DHS) must ensure that the correct technology is used to expedite the flow of goods and people at international land ports-of-entry;
- Interagency cooperation is vital to the success of the program;
- Outreach efforts must be stepped up to inform border communities of the expansion of the program **prior** to deployment;
- The US-VISIT team must allow stakeholders to perform a post-implementation evaluation and system effectiveness and efficiency analysis and suggest adjustments;
- DHS must ensure that our security programs fall in line with the broader trade and security agreements between the United States, Canada and Mexico;
- US-VISIT team should optimize current entry process before committing scarce resources to any form of an exit process.