

Testimony of  
**Mr. Dennis Nixon**

December 2, 2005

Senate Judiciary Committee  
Subcommittee  
on  
Immigration, Border Security and Citizenship

December 2, 2005  
Laredo, Texas

Testimony of Dennis E. Nixon  
CEO & Chairman  
International Bank of Commerce

Mr. Chairman, for the record, my name is Dennis Nixon, and I am the CEO and Chairman of International Bank of Commerce.

As the largest bank holding company in the State of Texas whose corporate headquarters remains on the U.S. / Mexico border, I can tell you that the Western Hemisphere Travel Initiative will have a tremendous impact on our customers, the communities we serve and the Texas and American economies.

This issue has drawn attention from coast to coast and the majority of the focus has been on either:

? the type of document we should use; or,  
? how much it will cost the average American family.

But, the real issue is getting lost in the debate.

For Americans, crossing the Rio Grande should be no different than crossing the Potomac. Just like crossing the Potomac, crossing the Southern Border as a U. S. citizen has not normally required producing an identification document. What if it took you four hours just to reach the Key Bridge in Arlington, Virginia on your daily commute to Capitol Hill? And then upon arriving at the bridge, you had to stop to show your identification and answer a bunch of questions - where are you going? Where have you been? All consuming additional time.

This debate has wrongly focused on what we're going to do at the bridge, when the real problem is, we can't even get to the bridge. So, it makes no difference what document you order - you are just going to add to the logjam on the border.

The biggest issue with these proposed rules and other programs is that, as a country, we have become so wrapped up in specific procedures, that we have lost sight of the big picture - are these procedures adding value?

With increased procedures, and without the corresponding staffing that needs to go with it, we frustrate the very people who seek nothing more than to spend money in our country, visit family, or conduct business. We are destroying the dream of NAFTA.

Eighty four-percent of all border crossings occur at land ports. Space is at a premium at these international bridge crossings, and that begs these questions:

- ? How will American citizens be processed if they fail to produce the correct documentation?
- ? Where will they be processed?
- ? Where will they be detained during that processing?
- ? And how will this affect the growing wait times already caused by the US-VISIT program?
- ? Will we require extensive exit procedures to ascertain that U.S. Citizens have the necessary identification document to re-enter the USA?

The Department of Homeland Security will brag that the US-VISIT program does not apply to Americans, and for others it only takes 15 seconds to pass through the inspection process. Tell that to the last person in the cue - American or Guatemalan, Canadian or Australian. The fact is, no matter who you are, or what country or hemisphere you come from, you are co-mingled in the cue until you get to the bridge - you have a long wait.

Texans cross the Rio Grande, as those in Virginia and Maryland cross the Potomac - to eat, shop, see a concert, conduct business or visit family. Our economies are intertwined as a result of this, and therefore, any proposed rules that affect how people are entering the country - specifically the southern border - are of great interest to us.

Today, bridge crossings are down in Laredo and people are crossing less because of the hassles of getting back into the U.S. Even with this slow down, wait times are up.

As recently reported in USA Today, and confirmed by the GAO, "Delays at airport customs get worse, long lines and understaffing at customs checkpoints continue to worsen." So if there isn't enough staff to accommodate 16 percent of the border crossings, then how in the world does the government expect to handle 84 percent of the border crossings that enters the country through land ports like Laredo? Even with this report on record, DHS continues to rave about the success of US-VISIT. These accolades are clearly without merit.

Back in September, we logged numerous complaints from our customers in Laredo, San Antonio and other markets as a result of the extensive wait times and delays during "Diez y Seis" -- Mexican Independence Day weekend. This is an important holiday wherein thousands of Mexicans travel to the USA to vacation and spend huge sums of money buying goods and services in the United States.

While many of our customers withstood long lines of up to 4 hours in their attempt to enter the United States, others attempted to cross at another bridge in Laredo only to discover that it closes at midnight.

This seems to be a never-ending problem that occurs during peak periods and holidays. If we know when the holidays are, and can anticipate the other peak periods, then why can't CBP adequately prepare for the high number of visitors expected during these dates? The ripple effect of this lack of preparation translates into fewer tourists and business customers coming into Laredo in order to avoid the long lines and delays.

If frequent travelers pose no risk, then they should be allowed to cross our borders expeditiously. That way, we do not interrupt the flow of people and commerce unnecessarily, but frequent travel programs have not worked because once a drug seizure is made, these frequent traveler lanes become parking lots just like the other lanes because of intensified inspections.

For years, IBC strongly supported additional funding for Customs. However, today, what we have witnessed is that as we begin losing CBP officers through retirement, transfers or attrition, new DHS resources are being applied toward the Border Patrol on other enforcement duties. This means that more emphasis is being placed on illegal immigration or drug enforcement while people and cargo that are attempting to enter our country through legal channels suffer as a result of understaffing. We seem to be devoted to damaging our relationship with legal visitors.

This is a major reason why we oppose the requirement to force U.S. Citizens to use passports to re-enter the United States. We oppose the requirement of any document as a general use instrument because we have neither the infrastructure nor the staffing to handle that capacity at land ports. The inspection of any document held by a U.S. citizen will delay entry and create more problems because inspection equals time, which equals delay.

No uniform document should be required without the mandatory staffing that needs to accompany it. Again, we oppose any such document requirement until the Department of Homeland Security can prove to Congress that DHS has the adequate staffing to oversee such a process. They have not proven that at our airports.

As a country, we have become so wrapped up in the specific procedures, that we have lost sight of the big picture. The national dialogue on illegal immigration has reached a fever pitch, and unfortunately, issues such as wait times at the bridges are getting lost in the shuffle.

We have also heard a lot of talk about constructing a wall on the southern border in the name of security. My question is, that if this is really about security, then why aren't we talking about building a wall on the northern border? After all, the 9/11 terrorists did not come through the southern border. They entered our country by legally crossing the U.S./Canadian border.

We need a systematic approach that includes reform of our immigration laws and measures that truly help security and don't merely provide Americans a false sense of security because we're adding more processes. These "feel good" procedures are destroying our ability to cross our borders.

After all, with increased procedures, and without the corresponding staffing that needs to go with it, we frustrate the very people who seek nothing more than to spend money in our country, visit family, or conduct business. And if our procedural, bureaucratic red tape continues to hamper the flow of goods, services and visitors, then it is the American economy that will suffer the most - and that means the terrorists will have won "in the name of security" because we lost sight of the big picture.

We must stop imposing processes on the system in the name of "antiterrorism" because these "feel good" procedures are clogging the borders, killing the economy, and causing the loss of jobs.

# # #