

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
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Statement of Senator Patrick Leahy,
Chairman, Senate Committee on the Judiciary
Field Hearing in Newport, Vermont
"Economic and Community Implications of Northern Border Security"
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Today's Judiciary Committee field hearing in Newport, Vermont, will focus on the impacts of policies set by the Department of Homeland Security that have had, are having and will have severe implications for the social and economic ways of life in border communities all across our country. I am pleased that a number of business and community leaders from Vermont are able to join us today to share their views and testimony with this committee and the people in Washington.

I will start by giving some brief opening remarks and then turn things over to our witnesses to hear their stories. Hopefully, I will then have time to ask the witnesses about their statements. Also, without objection, I ask that all written testimony for this hearing be entered at the appropriate place in the record.

Let me take a moment to thank our host today, Mayor Woody Guyette. It is always nice to return to Marcelle's hometown - and the city looks great. I would also like to thank representatives from Senator Sanders' staff, Jeff Munger, and Mary Sprayregan from Congressman Welch's staff, for taking time to be with us today. Senator Sanders and Congressman Welch have been great partners in Washington on border issues. And, of course, a special thank you to the citizen's of Canada who have joined us here today - especially the Canadian Consul General from Boston - Neil LeBlanc.

In the wake of the September 11 terrorist attacks, a number of new border security measures have been put in place - from constructing border fences, to developing and deploying surveillance technologies, to adding troops along our borders - all with the expressed goal of preventing another terrorist incident. We all agree that we must protect our borders, but we must do it sensibly and intelligently. It is convenient to forget that most of the 9/11 hijackers entered the United States with legal visas - and some were on secret watch lists, but not being watched.

I am afraid that this Administration's current policies threaten to fray the social fabric of countless communities that straddle the border. I have heard from many Vermonters who have encountered problems at U.S. border crossings - from long traffic backups to invasive searches and questioning to inadequate communication from federal authorities about new facilities and procedures. Such a top-down approach does not work well in interwoven communities along the border, where people cross daily from one side to the other for jobs, shopping, and cultural events.

Sure, these new procedures have snared some illicit drug shipments and snared a few criminals, but not many terrorists. Meanwhile, we have needlessly offended our neighbors, sacrificed much of the traditional good will we have enjoyed, and undermined our own economy in border communities like Newport, Derby, Richford, Highgate, and Norton. That is why I have worked hard to provide balance and needed resources along the Northern Border, and I have tried to convey in Washington something of the special relationship we have with our Canadian neighbors to the North.

Canada has been an important trading partner and friendly neighbor to Vermont and the United States for more than

200 years. It is in the best interests of both of our countries to keep those relations as positive and productive as possible. Post 9/11, everyone on both sides of the border recognizes that there are potential threats and security needs. We have hardened security around the U.S. Capitol and the White House and built fences near San Diego, but those procedures do not work on Canusa Avenue in Beebe Plain or at the Haskell Free Library and Opera House in Derby Line, Vt., and Stanstead, Que.

That is why I am so troubled by the so-called Western Hemisphere Travel Initiative, which will require individuals from the United States, Canada, Mexico, and the Caribbean to present passports or other documents proving citizenship before entering the United States. This is a dramatic change in the way that border crossings have been processed in the Western Hemisphere since the Treaty of Paris set up the international boundary with Canada in 1783.

The Departments of State and Homeland Security have been charged with implementing this law, and they should be coordinating their efforts with our international neighbors to ensure a smooth transition at our borders. Unfortunately, as I have detailed to Secretary Rice and Secretary Chertoff on several occasions, there are serious problems in the ways in which their agencies have pushed forward with implementation of this new initiative before the necessary technology installation, infrastructure upgrades, and training take place at our border stations. If these critical features of the deployment are not in place, we will see severe delays at our border and law-abiding citizens from the United States, Canada, Mexico, and the Caribbean will have great difficulty moving between our countries. Most importantly, a hasty implementation without assurances that the technology to be used is truly effective can result in a less secure border.

The Administration's record on implementing the air portion of the new passport program is clear, and it has been abysmal. Hundreds of Vermonters have called my office for assistance in salvaging their travel plans, and I know that Americans from other states have experienced similar problems, as well. The huge passport backlogs for air travel are just a taste of the chaos that is likely next summer when they want to start enforcing passport checks at our land and sea borders. Those land and sea border crossings account for 10 times more volume than crossings from air travel.

Since DHS and State keep saying that the Western Hemisphere Travel Initiative is a "congressionally mandated" program, I believe they should stop opposing the bicameral and bipartisan legislation I authored that is now moving through Congress to shift the new passport requirement date to June 2009. They have been warned repeatedly that they are not ready. By maintaining the fiction that they will be ready to implement the largest phase of this program next January, they are recklessly risking the travel plans of millions of Americans and the economies of scores of states and communities.

Our borders present security challenges, but the Northern Border is more than just a security challenge. It's also a great asset to the nation and to Vermont and other border states. The Northern Border is a powerful economic engine and focal point for scores of communities. There are clear problems and great risks ahead if our government chooses one-size-fits-all answers instead of thoughtful, commonsense solutions. This hearing will contribute Vermont's perspectives to the border security decisions that lie ahead.

I look forward to hearing from all of our witnesses today about the economic impacts they have seen and expect in the future. I thank them all for taking time from their busy schedules to be with us today. Everyone recognizes the critical importance of national security, but when we sacrifice our economic and social ways of life, Americans lose and the terrorists have taken from us what they cannot by force of arms.

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