

**Buffalo Border Information Report: January 1 -7, 2011**

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**REPORT:**

## **A. Border Related News Media**

### **Wanted Man Caught At Border Watertown Daily Times – January 1, 2010**

A Canadian man wanted in Florida on a scheme to defraud charge was arrested here Wednesday as he tried to enter the United States. U.S. Customs and Border Protection field operations said Friday that its officers encountered Mark Daniel Maren, 42, a Canadian citizen from Toronto, Ontario, as he applied for admission into the country at the port of entry here. Mr. Maren presented a Canadian passport as proof of citizenship and identity and told officers that his purpose for entering the country was to obtain an entry waiver. According to border patrol officials, Mr. Maren told them he has an extensive criminal record in Canada, making him otherwise inadmissible into the United States. Primary system checks revealed the possibility of an active warrant of arrest in the United States and Mr. Maren was referred for a secondary enforcement exam. During that inspection, additional record checks confirmed that Mr. Maren was the subject of a no-bond felony warrant issued on January 10 by the Pinellas County Sheriff's Department in Florida. The warrant charges Mr. Maren with scheme to defraud. Officers verified the validity of the warrant and confirmed extradition to Florida. Mr. Maren was arrested and turned over to the custody of city police to await extradition.

### **Crime adds 7 years to sentence Buffalo News - January 6, 2011**

If convicted murderer Thomas VanEvery ever gets out of prison in Canada, he will spend another seven years behind bars in the United States. VanEvery, 35, was given that sentence Wednesday by State Supreme Court Justice Russell P. Buscaglia for shooting a man in a Buffalo tavern six years ago. VanEvery, who has been jailed since his capture in Montreal days after the killing of a man in Hamilton, Ont., did not speak during a brief Buffalo sentencing. He was sentenced in 2009 to 16 years to life in prison for the Canadian crime. Prosecutors Brian P. McNamara and Lauren Nash said the Buscaglia sentence would add seven years to his total sentence. On Oct. 13, VanEvery, a former Hawley Street resident, pleaded guilty to a felony assault charge for shooting Michael A. Suth, now 46, during an argument April 10, 2005, in the Skyway Tavern at 1473 Niagara St. VanEvery was captured in Montreal on Jan. 31, 2006, six days after he fatally shot Lawrence "Sonny" Butler, 29, inside Butler's Hamilton, Ont., home. Erie County District Attorney Frank A. Sedita III said VanEvery, who has used several criminal aliases during a long history of violent crimes in the Buffalo area, was captured by Quebec Provincial Police in a Montreal drug house where he had been hiding out after the Hamilton shooting.

### **Cornwall Man To Do Nine Months For Smokes Bust Watertown Daily Times – January 7, 2011**

A Cornwall, Ontario, man will serve nine months in federal prison for possessing contraband cigarettes and entering the United States illegally at Massena. Darren F. MacNeil, 38, was sentenced Thursday in U.S. District Court, Albany, before Judge Glenn T. Suddaby to conspiracy to possess and transport contraband cigarettes and concealing facts of re-entry, federal court records show. Mr. MacNeil, along with Jamie R. Migneault, 33, Cornwall, Ontario, and John D. Jacobs, 37, Hogansburg, were charged in May with possessing contraband cigarettes. U.S. Customs and Border Protection agents said they spotted Mr. Migneault and Mr. MacNeil about 11:30 p.m. May 19 at the New York Power Authority boat launch near the Massena dam intake. The men were loading boxes that officials said contained contraband cigarettes into a boat, which

went to Canada to drop off the boxes and then returned to the boat launch for another shipment. Mr. MacNeil was seen driving the boat, court records show. Mr. Jacobs led police on a high-speed chase through the village of Massena, forcing several vehicles off the road, before being captured, according to court records. Authorities seized about 180,000 contraband cigarettes, with an estimated value of \$72,000, from the boat and pickup truck. Mr. Migneault was sentenced in September to time served, with Mr. Jacobs scheduled to be sentenced Feb. 3, court records show.

**Slaughter, Higgins lose clout in realigned House**  
**Buffalo News - January 6, 2011**

Republicans took control of the House of Representatives on Wednesday, ending a four-year Democratic reign and vastly diminishing the power of the two Democratic House members who represent Buffalo. As Republicans elected John A. Boehner of Ohio to succeed Nancy Pelosi, a California Democrat, as speaker, Rep. Louise M. Slaughter, D-Fairport, stepped down as chairwoman of the powerful Rules Committee, which shapes the legislation that goes to the House floor. And Rep. Brian Higgins, D-Buffalo, was forced to give up his seat on the Ways and Means Committee, the premier panel that oversees everything from taxes to health care to Social Security. Higgins was second-from-the-bottom in seniority among Democratic members of Ways and Means -- and six Democrats had to lose their slots on the panel in the sweep that brought Republicans 64 new seats in the November election. Rep. Chris Lee, a Republican from Clarence starting his second term, won a seat on Ways and Means. Those were just a handful of the changes that sorted themselves out on the House floor and in the nearby House office buildings, where jubilant Republicans held daylong receptions to welcome constituents and celebrate their new power. The Senate also reconvened, with Democrats holding a narrowed 53-47 voting edge. Boehner -- the second of 12 children sired by a couple who owned a Cincinnati bar where he worked while growing up -- seemed to be humbled by it all. His eyes welled with tears before his swearing-in, and in his speech afterward, he said voters "have reminded us that everything here is on loan from them. That includes this gavel, which I accept cheerfully and gratefully, knowing I am but its caretaker." The new Republican majority already has laid out an ambitious agenda, setting a vote next week to try to repeal President Obama's signature health care reform bill and vowing to work to cut federal spending and the deficit. "No longer can we kick the can down the road," Boehner said. "The people voted to end business as usual, and today we begin to carry out their instructions." The American system, however, may conspire against the House majority's plans. Democrats controlling the Senate will be able to block many House measures, and Obama holds veto power that he would be sure to use to prevent a repeal of health care reform or major tinkering with other parts of his agenda. Obama told reporters he expects Republicans to "play to their base" by taking votes attacking his agenda in the short run. "But I'm pretty confident that they're going to recognize that our job is to govern and make sure that we are delivering jobs for the American people," Obama said. "My hope is that John Boehner and [Senate Minority Leader] Mitch McConnell will realize that there will be plenty of time to campaign for 2012 in 2012." Boehner also vowed to be more open than Democrats in running the House. Pelosi and Slaughter, her legislative mechanic, came in for much criticism for shutting the GOP out of lawmaking, but Thursday on the House floor, Slaughter hammered the Republicans for immediately repealing the House voting rights of the delegates from the District of Columbia and U.S. territories. She also lambasted the incoming majority for failing to adhere to a pay-as-you-go rule requiring Congress to fully fund all its actions. After much complaining about the deficit during the campaign, "one of their first acts will be to increase the deficit by \$143 billion" by voting to repeal the health reform bill, which is projected to produce that much in savings, Slaughter said in a brief interview. She said she expected to be able to work with the Republican majority, but she lamented the loss of "earmarks," the congressionally funded projects that the new majority has banned. Earmarks have been a huge boon to everything from the Buffalo Niagara Medical

Campus to small local highway projects, and "some communities will not be able to do projects" because of the earmark moratorium, Slaughter said. Higgins said he would seek seats on the Homeland Security and Foreign Affairs committees after losing his spot on Ways and Means. He said that as a border city, Buffalo could benefit from his presence on the Homeland Security panel. Beyond that, Higgins has long had a strong interest in foreign affairs, repeatedly joining congressional trips to war zones in Iraq and Afghanistan. "I will find a way to be effective" despite the loss of his key committee slot and the earmark moratorium, Higgins said. Eventually, he expects to return to the powerful tax-writing panel once more-senior Democrats depart it. "I maintain my seniority," he said. "I'll be back." Western New York's two other members of Congress -- Lee and Rep. Tom Reed, R-Corning -- faced no such quandaries as they joined the new Republican majority. Lee vowed to use his new spot on Ways and Means to promote tax policies that would benefit manufacturing, which in turn would benefit the Western New York economy. "It's a huge opportunity for me," said Lee, a former executive at his family's manufacturing firm. "There are very few if any members of that committee who have any experience in manufacturing." Key to all of that for Lee will be simplifying the tax code, a priority Higgins also mentioned and that Obama has pushed. "The tax code is so complicated that it's noncompetitive," he said. "It's pushing jobs out of the country." Reed vowed to continue to press for fiscal restraint, a key tenet of the platform that won him the seat vacated by Rep. Eric J.J. Massa, D-Corning, who resigned last year. Reed took office in November, giving him a seniority advantage over the huge freshman Republican class. But he said he expects to work with those other new members who won office by forging alliances with budget-conscious "tea party groups." "As a block we can be a very influential body," Reed said. "The first signs are very positive." Things were much less positive for Pelosi, who relinquished the speaker's gavel after a vote in which 19 Democrats defected from her failed candidacy for speaker -- the most for any House leader since 1997. Eleven of those members voted for Rep. Health Shuler, D-N.C., while several other lawmakers also received votes. Pelosi ran the House in a highly partisan fashion, and Boehner acknowledged that over recent years, "a great deal of scar tissue has built up on both sides of the aisle." She now leads the 193-seat Democratic minority in a House with 242 Republicans.

### **Canada adds 22,000 jobs in December Buffalo News - January 7, 2011**

Canada's economy added a better than expected 22,000 jobs in December, but not enough to change the unemployment rate, a national reporting agency said Friday. Statistics Canada said last month's jobless rate stayed unchanged at 7.6 percent. Full-time employment rose by 38,000 and manufacturing created 66,000 new jobs last month, the strongest month seen since 1976, with most of the jobs located in Ontario and Quebec. Economists had expected an overall gain of less than 20,000 in December. Canada's job creation pace continued to stay well ahead of the U.S., which saw a disappointing 103,000 employees added in December. The underlying strength of the Canadian numbers was noted by investors, who boosted the loonie 0.62 of a cent to 100.93 U.S. cents in early morning trading. "We'll take 22,000 jobs gained in December after a year that had Canadian job markets on fire through the creation of 368,500 jobs. That would be equivalent to around four million jobs in the U.S.," said Scotiabank economist Derek Holt. CIBC economist Emanuella Enenajor, along with others, reacted with skepticism over the eye-popping number, suggesting that next month's report may show a revision. Still, she said the December data sets up Canada well for 2011. "Going forward, we see strong private-sector hiring to offset weaker public sector job gains," she said. Meanwhile, analysts expect the U.S. picture to also brighten. The U.S. created a mere 1.1 million jobs last year, but the last three months have seen gains of 384,000. As well, several economic indicators have shown signs of recovery as 2010 drew to a close. "We anticipate close to 2.7 million in job creation during 2011, which should bring the unemployment

rate down to 9.1 percent by year end - and that would reflect a sustainable decline," said TD Bank's Alistair Bentley. Analysts view a rebound in U.S. job creation and consumer spending as essential for Canada's economic recovery since about three quarters of Canadian exports head south of the border. Few analysts changed their minds about what the jobs report will mean for interest rates when the Bank of Canada's governor is due to determine if rates will rise in a little over a week's time. While relatively strong, private sector economists said the gain was not sufficiently robust to alter the overall trend of moderate but steady employment growth going forward, which should keep the bank on the sidelines until midyear.

**Tourney nets winners, losers**  
**Buffalo News - January 6, 2011**

The hockey was first-rate at the World Junior Hockey Championship, right down to the final shocker as Russia beat Canada for the gold medal. The facilities were great and the crowds, totaling more than 330,000, easily set a record for the tournament on American ice. Canadians and a few other visitors invaded downtown Buffalo, filling its hotels and jamming nearby restaurants. Traffic also was brisk at selected niche spots away from downtown, including Albright-Knox Art Gallery, the Anchor Bar and Walden Galleria. But there were complaints, too. Visiting bloggers and tweeters put Buffalo on the defensive with their shots at downtown. For at least one day, Canadians got hit by price gouging at parking lots near HSBC Arena. Some restaurants a few miles from the arena never saw a major boost in business. Some grumbling was heard about the lack of fan support for Team USA, as red-clad Canadians turned the city into "Buffalo, Ontario," as one fan said. The tournament that wrapped up its 11-day run in Buffalo and Lewiston on Wednesday night got high marks, especially from visiting amateur-hockey officials who raved about the host city. "The people of this city -- the cab drivers, the bartenders, the hotel housekeepers -- everybody in this city has been just a spectacular, spectacular host," USA Hockey Executive Director Dave Ogrea said at a farewell news conference. "We can't thank Buffalo enough," he added. But some business owners felt betrayed by overly lofty expectations about how they would do financially, and for many visiting fans, Buffalo did little to shed its gray, rust-town reputation. Two ventures exemplified the hit-or-miss results for local merchants. With tens of thousands of hockey fans roaming around downtown, organizers of the HockeyTownsUSA Fan Fest expected at least 20,000 fans would find their way to the Buffalo Niagara Convention Center. It sounded like a good idea. But only about 1,500 showed up for the four-day festival, which offered everything from skating on synthetic ice and playing in a bubble-hockey tournament to meeting with the Buffalo Sabres' famed French Connection. "The world came to Buffalo," festival promoter Frank Calieri said. "We tried to throw a party, but not many people came." "We didn't get the draw from the Canadians that we expected to get," he added, noting that many Canadians went to the games, walked to a nearby restaurant or bar, then went back to the arena -- or back home. Barely a mile away, the World Juniors did wonders for WJ Morrissey Irish Pub on Mississippi Street, a cobblestone's throw from HSBC Arena. Fans came early and stayed late, providing a major boost in sales, particularly on days when there were tripleheaders. "It really gave us the opportunity to expose Morrissey's to a huge audience," owner Dennis Brinkworth said. "It definitely helped all of [the bars] down in the Cobblestone District." Bars that did well included those that had a kitchen, where customers could grab a burger or wings, and were not too upscale -- places where fans could wear a hockey jersey without feeling uncomfortable -- said Jay Manno, president of the Buffalo Entertainment District Association. But for many, the tournament's economic impact didn't live up to expectations. "The expectations were made too high," Manno said. "Some people are upset, but the better operators just roll with the punches." He added that thousands of visitors were in Buffalo for the tournament. Some bars went out and got that business, while others didn't. "Sure, they're disappointed, but they'll get over it," said Manno, owner of the Soho Bar on Chippewa Street. "It was still good for the city, no

matter how you look at it. Those places down by the arena, they probably did better than us, but the rest of the year they don't do nearly what we do. So, hopefully, it evens out for everyone." Jay Dellavecchia, general manager of the Hyatt Regency Buffalo, is sad to see the tournament end. Thanks to the hockey visitors, the 396-room hotel has been 95 percent occupied throughout the tournament and completely booked since Monday. "It's like Christmas," Dellavecchia said. "You wait all year, and it's over in a heartbeat." Merchants were in the curious position of rooting for their best customers' team, Team Canada. "I probably shouldn't say this, but we were terrified the Americans would win," Brinkworth said of the USA-Canada matchup Monday, "because the Canadians would go home." Lewiston also got a bounce from the tournament. With the exception of Team Canada's games, Dwyer Arena at Niagara University hosted all Group B preliminary games and the entire relegation round. In a short time, western Niagara County grew into a hockey hotbed. "For this time of year, [business] has been positive," said Steven Matthews, general manager at the Brickyard Pub and BBQ, on Center Street in the Village of Lewiston. "I have seen some foreigners walking around and have heard some non-native dialects here and there." Mayor Terry C. Collesano, a Center Street barber, said he cut hair for several Canadian customers and steered visiting customers to village restaurants. "And we won't charge \$50 for parking," he said. "In Lewiston, parking is free." Dave Burkholder, Niagara University head hockey coach, said it was a dream come true to see the best young hockey players in the world compete in the school's cozy 2,100-seat arena. The biggest winner may have been the Buffalo Sabres. At Wednesday's news conference in HSBC Arena, Managing Partner Larry Quinn said reports of the Sabres making \$10 million off the tournament were not accurate, adding that the actual figure was "substantially below" that. But would the team make a substantial profit on the event? "I hope so," Quinn replied. The biggest financial loser had to be the Fan Fest, which ran Dec. 26-29. Bruce J. Weinstein, owner of Western New York Hockey magazine, said he expects to lose close to \$100,000 on the event. That loss could jeopardize the future of the magazine. Weinstein is trying to work out a way to pay the French Connection and suppliers who are owed money. "They just didn't have a lot of foot traffic," said Robert Dowdell, co-owner of Adam's Apples, which makes gourmet caramel apples. "For a four-day event, to sell 50 apples is pretty bad." Weinstein cited overstated estimates about the number of visitors and how long they would stay, along with what he sees as a lack of support and promotion from the Sabres and local officials. He also pointed to a "disjointed effort" among the Sabres and various local public officials. "They didn't play nice in the same sandbox," he said. Weinstein didn't dispute the sometimes-frayed relationship between him and his magazine on one side and the Sabres on the other. That goes back to magazine stories two years ago about the possible sale of the Sabres and to a dispute over Memorial Auditorium seats at the "Farewell to the Aud," sources said. Weinstein chose his words carefully when asked about the Sabres' role in the festival's failure. "I think they really did very little to support the event," he said, before adding that the team had no obligation to help Fan Fest other than to help showcase the city. Sabres officials don't understand why they are being faulted. Daniel J. DiPofi, Sabres chief operating officer, said Fan Fest, like the Sabres, was a private enterprise, charging admission, risking capital and trying to make a profit. "They came to me, we offered to promote it for a price, and they didn't want to spend it," DiPofi said. "It's not like it's a charity. We don't give our product away." As the Sabres basked in the rave reviews from USA Hockey and International Ice Hockey Federation officials Wednesday, team officials were asked when the tournament could return. It's expected back in the United States in 2017-18, and the Sabres sound interested. "I'd like to think we would be strongly considered for it," DiPofi said.

**Canadian fans turn HSBC Arena into Buffalo, Ontario**  
**Buffalo News - January 4, 2011**

The sign waved by Team Canada fans Rob Hamilton and Devin Ellis on Wednesday night in HSBC Arena summed it up pretty well: "We might be in Buffalo, but this is Canada's House." Canadians from across the vast northern expanse celebrated wildly inside and outside the arena following Canada's dominating 4-1 victory over the United States in the semifinals of the World Junior Hockey Championship. The win propelled Canada into the finals Wednesday against Russia and avenged a defeat at the hands of the Americans in last year's gold medal game in Saskatoon, Saskatchewan. "It's been a long year after the overtime loss last year," said Deryl MacInnes, both of Cape Breton Island, Nova Scotia. "We've been waiting 12 months for this game to come up." Draped in a Canadian flag, Scott McKenzie of Edmonton, Alberta, joined thousands of his countrymen in a full-throated rendition of "O Canada" following the game. "Unbelievable. It was so one-sided. We won every battle. Our goalie showed up," said McKenzie, his voice hoarse from cheering all night. Superfans James Wiebe, Garret Johnson and Joel Duda showed up in skintight Canadian flag body suits that also covered their faces. The three drove 36 hours from Alberta for the tournament and were ecstatic with the results so far. "It was fantastic. The best thing that could happen," Wiebe said. If the Canadian players overwhelmed the U.S. team on the ice, their fans did the same in the stands, as the blur of red and white Canada jerseys in and around the arena attested. Annette Fisher, a hockey fan from Colden, felt like she'd been transported to Saskatoon as she stepped into the tent party outside the arena. "Did anybody mention this is the first time they felt outnumbered in their own country?" Fisher wondered. "It's just a sea of red." Reporters and tournament officials expected the crowd to be decidedly pro-Canada, anywhere from 60 to 75 percent Canadian. But by the time the puck dropped, that figure seemed even higher, with Canada fans appearing to outnumber U.S. fans by a 10-to-1 ratio for the rematch of last year's gold medal game. "You didn't realize this was Buffalo, Ontario?" remarked Ron Mathurin of Ottawa, Ont. "I expected a lot more American fans. That sea of red is just like being on Canadian soil." Most of those U.S. fans had filtered out of the arena long before the final horn sounded, allowing the Canadians to party unfettered. "Buffalo became the biggest city in Canada tonight, let me tell you," Wiebe said. Wearing their blue USA jerseys, Rick Gilmartin and his wife, Nancy, were serenaded by chants of "Bye-bye" as they exited the arena. "It was 10 percent American and 90 percent Canadian," said Rick Gilmartin. "We're in our own country, and we're the minority." Jeff Douglas anticipated a big Canadian crowd, but he didn't expect he and his son to be the only Americans at a bar near the arena shortly before game time, and the absoluteness of red in the arena seats. "I was taken aback by the total outnumberedness. It was overwhelming," Douglas said. "It just proves that hockey is still a Canadian sport." Team Canada seemed to feed off what amounted to home-ice advantage. With the raucous crowd waving flags and providing momentum, the Canadians jumped to a quick 2-0 lead in the first period. "This was karma," said Hamilton, recalling last year's humiliating loss on home turf. American fans didn't seem too upset by the loss. Matt Mang of Kenmore went up to the Alberta guys wearing the body suits and asked if they would pose for a picture with him. His father, Andy, said he enjoyed the enthusiasm of the Canadians and the passion they showed for their team. "That's all part of the fun. It's one of the reasons I wanted to come down here," he said. Before the game, Paul Markiewicz and his son, Ryan, 14, seemed a bit out of place in their USA gear under the arena party tent. "That's all right. It's been that way all week," said the elder Markiewicz, who drove from Erie, Pa. The Markiewiczzes and other U.S. fans got booed heading up the escalators in the arena -- a not-so-subtle reminder that Canadians hadn't put last year's loss behind them. Bill Miller, wearing an old USA World Juniors jersey, traded good-natured jabs with groups of Canadians who had gathered under the tent hours before game time. Miller was one of the few U.S. fans who attended nearly all of the games, despite being so badly outnumbered by Canada fans. Why? "It's great hockey," he said. Besides, he added, "nobody's been giving us a hard time." Some Canada fans expressed surprise and disappointment in their U.S. counterparts. "It's a shame," said Daniel Bornstein of Montreal. "It would've been better to see more Americans coming out, trying to promote hockey." Bornstein and his friends did their best to drum up a

rivalry with the few U.S. fans they encountered. The game-time atmosphere was equivalent to that of a Buffalo Sabres home playoff game -- at least for the Canada fans. "It means everything," Bornstein said of the tournament. "This is like the Stanley Cup finals." People who attended multiple tournament games were struck by the much larger Canadian fan base. Roughly 63 percent of the all-session and day-pass tickets were bought by Canadians. Why more interest from Canada, for a tournament played on American ice? "Junior hockey is woven into the fiber of Canada's culture to a very significant degree," said George Kuhn, a writer covering the tournament for Sports & Leisure magazine. Some of the Canadian interest has been fueled by the TSN network in Canada, which has turned this into a must-see event. Last year's Canada-USA final was seen by an estimated 5.4 million fans in Canada. Ryan Molloy, 19, of Niagara Falls, Ont., considers himself a fan of junior hockey more than the NHL. "It seems like the rivalries are more intense," said Cameron Ellis, 19, also of Niagara Falls, Ont. "It's like they're playing harder because they're trying to prove themselves at the national level."

## B. **Border Communications**

### **Canada Bound Rainbow Bridge NEXUS Lane Closing January 23, 2011**

**Niagara Falls, Ontario, January 5, 2011** – The Canada Border Services Agency (CBSA) today announced that following a review of its NEXUS services in the Niagara-Fort Erie Region, the Canada-bound Rainbow Bridge NEXUS lane will be closing, effective January 23, 2011. This will enable the CBSA to concentrate on delivering its services to the wide range of other travellers using the Rainbow Bridge. NEXUS members can continue to use the NEXUS-only lanes at the Whirlpool Bridge.

### **The NEXUS-only Whirlpool Bridge is a convenient alternative**

- Located less than two kilometres from the Rainbow Bridge
- Open 7 days a week, 7 a.m. to 11 p.m.
- Quickest, most reliable and cost effective way to cross the border — see the [Niagara Falls Bridge Commission Web site](#) for more information.

### **NEXUS enhancements in 2011 include:**

- A **second NEXUS lane** at the Peace Bridge during peak commuter periods (January 2011)
- A **NEXUS lane** at the newly-constructed Queenston Bridge Canadian Plaza (February 2011)

NEXUS members are reminded that a NEXUS card can be used as a proof of identity and as a document which denotes citizenship in all lanes and in the marine mode. When using regular lanes, however, program privileges are not applicable.

## News for Canadian resident members

The [Traveller Declaration Card \(TDC\)](#) is now available online. Three easy steps: **fill out** your TDC online; **print and complete**; and **drop off** your TDC when entering Canada.

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## Busy Day at Buffalo Border Crossings Net Three Wanted Fugitives

(Friday, December 31, 2010)

**Buffalo, N.Y.-** U. S. Customs and Border Protection Office of Field Operations recently announced the apprehension of three fugitives at the Port of Buffalo.

On Dec. 30 at 9:30 am, CBP officers working the Lewiston Bridge border crossing encountered Desmond Duke, a 29-year-old U.S. citizen from Jamaica, N.Y., as he applied for admission into the United States. Primary system checks revealed the possibility of an active protection order for Duke. The subject of the order of protection was travelling with Duke, thereby violating the court order. During secondary processing, CBP officers verified the protection order, which was originated by the New York City Police Department. As Duke had violated the stipulations of the court order, he was arrested and turned over to the New York State Police for processing.

At 12:13 pm, CBP officers working at the Rainbow Bridge border crossing in Niagara Falls encountered Franco Nardolillo, a 40-year-old Canadian citizen from Whitby, Ontario, as he applied for admission into the United States. Nardolillo advised CBP officers that he was en route to the local mall to shop for the day. A primary name query revealed the possibility of an active felony warrant out of Florida.

During secondary processing, additional record checks confirmed that Nardolillo was in fact the subject of a no-bond felony warrant issued on July, 1995 by the Fort Lauderdale, Fla. Police. The warrant charges Nardolillo with grand theft and possession of stolen property. CBP officers verified the validity of the warrant and confirmed extradition to Florida. Nardolillo was arrested and turned over to the custody of the Niagara Falls Police Department pending extradition to Florida.

Finally just before midnight, CBP officers at the Peace Bridge border crossing in Buffalo encountered John Grahame, a 35-year-old United States citizen from Denver, Colo. as he applied for admission into the United States. Primary system checks revealed the possibility of an active warrant of arrest, and Grahame was referred for a CBP enforcement exam.

During secondary processing, additional record checks confirmed that Grahame was in fact the subject of a no-bond felony warrant issued on Dec. 10 by the Las Vegas, Nev. Metro Police Department. The warrant charges Grahame with fraud/insufficient check. The warrant and extraction were confirmed by CBP and Grahame was arrested and turned over to the custody of the Buffalo Police Department pending extradition to Nevada.

*U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.*

## **CBP Officers in Ogdensburg, N.Y. Arrest Man Wanted on Fraud Charges**

(Thursday, December 30, 2010)

**Ogdensburg, N.Y.** – U.S. Customs and Border Protection announced the arrest of a Canadian citizen wanted in Florida on a recent warrant.

CBP officers working yesterday at the Ogdensburg, N.Y. port of entry encountered 42-year-old Mark Daniel Maren, a Canadian citizen from Toronto, Ontario, as he applied for admission into the United States. Maren presented a Canadian passport as proof of citizenship and identity and advised CBP that his purpose for entering the United States was to obtain an entry waiver.

Maren explained that he has an extensive criminal record in Canada, making him otherwise inadmissible into the United States. Primary system checks revealed the possibility of an active warrant of arrest in the United States. Maren was referred for a CBP secondary enforcement exam.

During the secondary inspection, additional record checks confirmed that Maren was in fact the subject of a no-bond felony warrant issued on January 10 by the Pinellas County, Fla. sheriff's department. The warrant charges Maren with scheme to defraud.

*U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.*

### ***CSG/ERC Canada-U.S. Relations Update...***

#### “Buy America” Negotiations to Resume

The Canadian government has announced that negotiations with the United States on “Buy American” provisions in U.S. law will resume in February. Canada hopes to build on an agreement reached in early 2010 which temporarily resolved a dispute over provisions contained in the American Recovery and Reinvestment Act (“Stimulus Bill”).

That agreement requires the U.S. to exempt certain Canadian products from the Buy American provisions, and in return Canadian provincial and local governments will expand procurement access to U.S. firms. Specifically, the deal provides that Canadian iron, steel, and manufactured goods are exempt from the Stimulus Bill's domestic purchasing requirements for projects funded by the U.S. Department of Agriculture's Water and Waste Disposal Programs and Community Facilities Program, the U.S. Department of Energy's Efficiency and Conservation Block Grants and State Energy Program, the U.S. Department of Housing and Urban Development's Community Development Block Grants Recovery and Public Housing Capital Fund, and the U.S. Environmental Protection Agency's Clean Water and Drinking Water State Revolving Funds. In return, U.S. companies are allowed to compete for certain provincial and municipal contracts not currently covered by World Trade Organization open-procurement rules.

However, the agreement is limited in that the waiver is temporary (through September 2011) and doesn't include certain types of construction projects. Additionally, certain provincial and municipal agencies, such as public power companies and transit authorities are exempt.

Canada now seeks a broader, more permanent agreement. No timeline for finalizing a new deal has been set and it is unclear how committed the U.S. is to an expanded accord.

ERC and its Canada – U.S. Relations Committee have been at the forefront of efforts to achieve cross-border procurement reform. In late 2009, CSG-ERC's Executive Committee unanimously adopted a Committee-sponsored resolution urging the federal governments of the U.S. and Canada to "move quickly to reach agreement on trade disputes between our two countries, including on the implementation of free and open procurement policies." At the ERC Annual Meeting in Portland, ME in August, 2010, the Committee adopted a second trade resolution. This resolution, sponsored by Quebec and Ontario, urged "the governments of the United States and Canada to move quickly to reach a permanent agreement on the implementation of free and open procurement policies with respect to market access, on a reciprocal basis..." This resolution was also unanimously adopted by the Executive Committee.

Additional details on when and where negotiations will resume are expected to be announced shortly.

#### CSG Annual Meeting Addresses U.S. – Canada Issues

The recent Council of State Governments Annual Conference in Providence, RI featured several important sessions of interest to leaders involved in U.S. – Canada relations. Among these were a special session entitled "Wait, You Do What?! Exploring Similarities and Differences in Responsibilities of U.S. States and Canadian Provinces", and the Conference's closing general session titled "Canada and the U.S. – Neighbors, Friends, Allies".

The former featured a town hall type discussion of the unique governance characteristics and differences between the two countries led by top political and academic leaders from both sides of the border including Charlie Parker, Speaker of the Nova Scotia House and ERC Co-Vice Chair. Participants were treated to a thoughtful and informative dialogue of the respective roles and responsibilities of legislators in both nations.

The closing general session provided a forum for a noteworthy address by Canada's ambassador to the U.S., Gary Doer. Ambassador Doer presented a thought provoking overview of cross-border relations with an emphasis on trade and energy development. Participants gained a new perspective on the challenges and opportunities facing the world's two largest trading partners.

The ERC Canada – U.S. Relations Committee will be working on many of the themes addressed in Rhode Island as it develops its 2011 policy agenda.

### U.S. Targets Canadian Shipments of Wood Packing Materials

The U.S. Animal and Plant Health Inspection Service (APHIS) is proposing that wood packing material shipped from Canada be subject to certification and marking requirements.

In 2006, the U.S. adopted international standards requiring heat or chemical treatment of wood packing materials such as pallets or waste product used to protect and secure cargo. The rules are intended to impede the spread of invasive species such as the Asian longhorned beetle and the pine shoot borer. Shipments emanating from Canada were exempted on the grounds that the U.S. and Canada share common forest regions and as such the protective measures were unnecessary and unwarranted.

However, APHIS now says a more recent risk analysis indicates that pests or diseases established in Canada could in fact migrate to the U.S. forests via untreated wood packing materials.

APHIS will receive comments on the proposal through Jan. 31, 2011.

### Study Examines Cross-Border Truck Traffic

A recent study by the [University of Manitoba Transport Institute](#) (UMTI) and [TransCore Link Logistics](#) finds that cross-border truck traffic between the U.S. and Canada is growing at a steady clip despite capacity constraints. However, the trade flow is unbalanced, with many trucks from the U.S. returning empty. This imbalance is exacerbated by the relatively strong Canadian dollar.

The study finds that cross-border shipments have increased as much as 55% over the past year, while equipment capacity has decreased as much as 20%. Many truckers shed equipment in the face of the recession.

According to the study, freight postings originating in the U.S. bound for Canada accounted to more than 61% of total freight volume and 39% of equipment volume while outbound postings from Canada to the U.S. accounted for 13% of freight volume and 31% of equipment volume.

## **CANADA INSTITUTE**

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Welcome to the first edition of "Canada Institute News" in 2011. Our biweekly brief e-mail messages will keep you informed not only about what is happening at the Canada Institute but also in the Canada-U.S. relationship. Thank you for your continued interest and support--please feel free to pass this along to those who might be interested in the programs.

### **UPCOMING EVENTS**

#### **How the West Can Win: Controlling Spending as We Grow**

January 12 2011, 12:00 p.m. - 1:00 p.m.

This Canada Institute event partners with the [Program on America and the Global Economy](#) to host a

Director's Forum featuring Canada's Minister of Finance [James M. Flaherty](#). The Minister will discuss Canada's fiscal strength, favorable business climate, low corporate taxes, and its stable banking system. [View the invitation](#), [event details](#) and [RSVP](#).

**Canada-US: Best Friends or Perfect Strangers?**

Thursday, January 20, 2011, 7:00 p.m. – 9:00 p.m.

Newseum, 555 Pennsylvania Ave NW, Washington, DC

We think you will be interested in this event put on by [Maclean's Magazine](#), our partner on our [One Issue Two Voices](#) series. The roundtable will feature prominent Canadians and Americans who will discuss topics including trade and protectionism, security, the environment, and Afghanistan. View the [event invitation](#) or [RSVP](#).

**RECENT EVENTS**

**Mixed Signals at the Border: The Future of U.S.-Canada Preclearance Programs.**

(December 8, 2010)

View [event summary](#) and [watch event video](#).

**Assessing China's Impact on Canada-U.S. Relations.**

(November 12, 2010)

[View event summary](#) and other materials.

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## Where Do Tea Party Members Stand on Free Trade?

*Worries the Tea Party will advocate for protectionism are overblown*

*By Daniel Griswold*

On spending, debt and health care, the tea party message on Election Day was loud and clear. But where dozens of newly elected tea party candidates stand on trade policy is a big question hanging over the next Congress.

### Free Trade Benefits Questioned by Some Tea Party Influentials

While tea party members embrace free markets, limited government, and reduced federal meddling, some tea party leaders have openly questioned the benefits of free-trade agreements such as the North American Free Trade Agreement (NAFTA) and a recently reached deal between the United States and South Korea.

The majority of the movement's rank and file seems to share that skepticism. Recent polls by the Pew Research Center and NBC News found that more than 60 percent of tea party members hold a negative view of free trade and trade agreements—a higher share than is found among Republicans or the population as a whole.

### Tea Party Principles Should Embrace Free Trade

If tea party members apply their stated principles consistently, they should embrace every opportunity to promote free trade. The \$26 billion the U.S. government collects each year from tariffs amounts to the most regressive tax it imposes.

Remaining U.S. trade barriers drive up the cost of living for low- and middle-income American families who spend a larger share of their income on goods subject to the highest tariffs, such as food and low-end clothing. Repealing those tariffs



would be a tax cut for the poor. Free trade also promotes U.S. goals abroad without expending tax dollars. Trade with less-developed

members who are angry about corporate bailouts really want to carry water for the United Steelworkers union, textile magnates and the sugar

**Recent polls found that more than 60% of tea party members hold a negative view of free trade and trade agreements—a higher share than is found among Republicans or the population as a whole.**

countries can pull people out of poverty far more effectively than foreign aid, and trade agreements can deepen our ties to allies such as South Korea and Colombia.

In contrast, protectionism is just another form of subsidy for politically connected producers. The same government that bailed out General Motors and Chrysler protects other special interests with tariffs and production subsidies. Will tea party

industry by supporting anti-competitive trade barriers?

### Worries the Tea Party Will Advocate for Protectionism Are Overblown

Where many of the newly elected Republicans stand on trade is unclear. Free trade was not a plank in the tea party platform, and most tea party candidates for the House had not had to think much about trade issues before, never mind actually vote on a trade bill.



Still, worries that the tea party movement will pull the Republican Party in a protectionist direction are probably overblown.

Despite the antiestablishment undercurrent that propelled the GOP wave in the midterm elections, the incoming tea party members will most likely support incumbent Republican leaders when the House organizes in January. Those leaders are far more supportive of trade than the Democratic leaders they ousted.

Presumptive House Speaker John Boehner (R., Ohio) has a long record of support for trade agreements. The same goes for incoming Majority Leader Eric Cantor of Virginia, Ways and Means Committee Chairman Dave Camp of Michigan, and Trade Subcommittee Chairman Kevin Brady of Texas. Under their direction, the House likely will be a friendlier place for trade agreements than it was under the outgoing Democratic leaders, who reflected their union supporters' hostility to free trade.

#### Few Voiced Opposition

Informal surveys show that few tea party candidates for Congress ran

against free trade. In fact, some high-profile tea party candidates embraced it as central to their message. In Illinois, for example, Bobby Schilling defeated Democratic incumbent Phil Hare with a campaign that empha-

#### Early Test Ahead

An early test for the tea party caucus could be the modified U.S.-South Korea trade agreement reached last weekend, which the Obama administration hopes to submit to

**Under the direction of House Speaker John Boehner and Majority Leader Eric Cantor, the House likely will be a friendlier place for trade agreements than it was last year.**

sized, along with standard tea party themes, the benefits of free trade, especially for major regional employers such as Caterpillar and John Deere.

One quirky exception may be Rand Paul, the Republican senator-elect from Kentucky. Like his father, Rep. Ron Paul of Texas, Rand embraces free trade in the abstract but questions the constitutionality of trade agreements and U.S. membership in the World Trade Organization. As a result, his voting record on actual trade bills may resemble that of a more trade-skeptical Democrat.

Congress early in the new year. A later test will be renewal of the protectionist, subsidy-laden farm bill.

How tea party members vote on those trade-related measures will reveal the extent of their commitment to their stated core principles of free markets and limited government. ■

*Daniel Griswold is director of the Center for Trade Policy Studies at the Cato Institute ([www.cato.org](http://www.cato.org)) in Washington, D.C., and the author of the new Cato book, "Mad about Trade: Why Main Street America Should Embrace Globalization."*

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## C. Editorials/Columns

Canadians passionate to the bitter end - By Bucky Gleason

## **Buffalo News - January 6, 2011**

What they left us with more than anything is their passion. We'll never completely understand Canada's obsession with hockey because the United States doesn't have one sport that captures our attention to quite the same degree. They don't simply love the game in Canada. They live for the game in Canada. If there was anything unique about the 2011 IIHF World Junior Championship, it's that never before had so many fans from another country taken over an arena for so many days, made so much noise, been so happy and left so sad. It had to be a first because finding anything that compares is impossible. Canada's 5-3 loss to Russia in the gold medal game will go down as one of the lowest moments in the proud and loud nation's sports history. Their gold medals might as well have been distributed in the dressing room after the second period. Their sixth title in seven years was all but locked up until Russia found the key. In less than a half hour, the same crowd that was singing and dancing and waving their maple leaf flags Wednesday, as they had been all week, watched in stunned silence in HSBC Arena as their boys coughed up a 3-0 lead and allowed five goals on 10 shots. It's a wonder how it happened so quickly and without warning. "There is no explanation," Team Canada goalie Mark Visentin said. Oh, but there are plenty, indeed. No matter where it was played or who was favored, this tournament was about either Canada or the United States winning it all and nothing more. Canada won the semifinals matchup between the two powers Monday with more people watching the game across Canada than watched the Winter Classic in the United States. One in five Canadians was expected to be watching the game Wednesday. Folks, that's pressure. And as much as they're viewed as superstars in Canada, the team's players remained a bunch of kids who lacked the experience and maturity to avoid getting caught up in the moment. They thought the game was over with a three-goal lead and one period remaining, and they found out the hard way victory was a long way away, indeed. "We just learned a lesson to never stop playing," Canada captain Ryan Ellis said afterward. "I guess that's what we did. We stopped playing after 40 [minutes] and got too high on our horse. They took the game over." Canada was expected to win without much problem. It had bigger, more aggressive players, more talent and prettier girlfriends. All it took was two goals 13 seconds apart to make it interesting, a breakdown to tie the game, Russia forward Artemi Panarin burying a shot from outside the crease to take the lead and one more to put it away. Team Canada will spend years looking for answers. It was the second time in two years in which they chased a goalie and lost the gold-medal game. For now, there are going to be millions of bummed out Canadians trying to figure out what it all means over the next several days. "It's tough," Ellis said. "You let your fans down. You let your country down. But life goes on. You have to get over it." It was a heartbreaker for Canadians, certainly, but they weren't the only people in town over the past 11 days. The United States wanted to show people its title last year wasn't a fluke, but the start of a trend. The Yanks were disappointed after losing in the semifinals to Canada and settling for the bronze with a victory over Sweden. Overall, the tournament was a success from almost every angle. There were more than 330,000 tickets sold for the 31 games, an American record for the World Juniors. Looking back, it meant many things to many people along the way. Russia pulled off the most shocking upset in World Juniors history and reaffirmed it's still among the amateur superpowers. For Buffalo, it was an opportunity to show the world it's not just a snowy place but a terrific hockey town that covers its flaws with its warm personality. Local hockey fans celebrated amateur hockey at the highest level. Sabres fans caught enough of Marcus Foligno and Zack Kassian to be excited about the future. The word "amateur" comes with an asterisk, of course. The tournament was a cash cow for the Sabres, who reportedly milked \$10 million in profits. Fans must be nauseated seeing that much dough pouring into the franchise and not enough being spent on the product over the summer. Owner Tom Golisano was looking for one more moneymaker before selling the team to billionaire Terry Pegula. For him, it was about the score. No problem here with Golisano taking the money and running, so long as he keeps

running. It's just a shame he never had the passion for hockey found in the fans filling the building. He can thank the Canadians. In victory and defeat, they were priceless.

**D. Citizens Views (write-in letters)**