

MINUTES OF THE HOUSE ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE

The meeting was called to order by Chairman Lana Gordon at 3:30 P.M. on March 17, 2008 in Room 519-S of the Capitol.

All members were present except:
Geraldine Flaharty- excused

Committee staff present:
Ryan Hoffman, Kansas Legislative Research Department
Jason Long, Office of the Revisor of Statutes
Matt Todd, Office of the Revisor of Statutes
Ann Deitcher, Committee Assistant

Conferees appearing before the committee:
Representative Owen Donohoe
Representative Judy Morrison
Owen deLong - ABD/PhD in Government, Harvard University
David K. Stall, CorridorWatch.org
Linda A. Stall, Co-founder, CorridorWatch.org
Amanda Teegarden, OK-SAFE, Inc.

The Chair introduced Representative Donohoe who showed the Committee a picture of the Flint Hills calling it "nighttime vision in the sky of a satellite transitioning to sunset" saying he was asking for a point of privilege in requesting a new motto for Kansas of "Aerospace to Open Space". (Attachment 1).

HB 5033 - Concurrent resolution urging Congress to withdraw from Security and Prosperity Partnership and NAFTA.

Appearing next before the Committee was Representative Morrison who explained **Resolution 5033** saying that it regards the NAFTA Highway, the TCC and the North American Union. At this time there are 24 states that are working on it or have resolutions with six of those states having passed it and she's hoping the rest of the states will follow suit. Congresswoman Nancy Boyda and Congressman Jerry Moran have both signed on to **Resolution 40**. (Copies of notebooks have been provided with documented information and are available in the office of the Economic Development/Tourism Committee Assistant, Room 142W.)

Copies of NASCO Frequently Asked Questions were distributed. (Attachment 2).

Owen deLong spoke to the Committee regarding milestones and documentation supporting the existence and development of what was initially called the "NAFTA SUPERHIGHWAY" by USDOT Secretary Mineta. Calling it a "project of opportunity" he said they'll build it wherever they can find it."

Mr.deLong told of the development of the program and how it is incremental and opportunistic in the sense that the location for the various intramodal hubs and rail lines depends upon evolving opportunities for acquisition of land, including approvals by affected governmental entities. (Attachment 3).

Saying that it was crucial to have an overview to what is happening because there are fundamentally two railroad lines at present competing for the East Asian trade. One runs through the Southern California Ports of Long Beach and L.A. across the western U.S. via Burlington Northern Santa Fe rail lines to its old Kansas City terminus, formerly ending in Kansas City, Kansas, but soon to be replaced by a new hub in Gardner, Kansas.

CONTINUATION SHEET

MINUTES OF THE House Economic Development and Tourism Committee at 3:30 P.M. on March 17, 2008 in Room 519-S of the Capitol.

The second major route, only in its developmental infancy, runs from two ports on the Mexican Pacific Ocean and the Mexican border at Laredo, Texas, or some other border juncture, and then proceeds via the Kansas City Southern Rail Lines to the new inland port via either Oklahoma and Southeast Kansas or Arkansas and Southwest Missouri. The Trans-Texas Corridor is the first-built U.S. phase of either Kansas City Southern route.

Next to offer testimony before the Committee, was Amanda Teegarden who offered an overview of NASCO and AFTRACS. ([Attachment 4](#)).

Ms. Teegarden spoke of how the Information Technology Systems (ITS) that led to "Total Domain Awareness" had been likened to an "Orwellian" surveillance system and a government control nightmare, of mammoth proportions. It is a technological system that could ultimately be used to track, record and control all modes of transportation, both commercial and private. She said that NASCO, utilizing Public/Private partnership arrangements, promotes such a system.

A brief film was shown of Oklahoma State Senator Randy Brogden who is working to withdraw his state from NASCO. He said that the state, since the I-35 goes through it, belongs to NASCO and they pay \$25,000 a year for the "privilege." The effort to get Oklahoma out of NASCO is expected to get some traction early next year.

Next to appear as an opponent was David Stall who said that the focus of his organization was primarily on the Trans Texas Corridor and the considerable impact it is having on a wide range of transportation and related public policy issues. ([Attachment 5](#)).

Mr. Stall said that chief among their concerns were the private profit motive and the tremendous abuse of condemnation and taking through the use of eminent domain. He used the Kansas Turnpike as an example of highways operated by public turnpike authorities and how they serve the public interest while private turnpike operators serve different interests. He felt there should be serious concern about toll agreements that limit future opportunities to protect a private partner's profits.

Saying that the TTC model was headed our way, Mr. Stall said that it may have a different name or be repackaged, but it will be proposed for Kansas. He urged the Legislature to exercise utmost caution to protect their state and their citizens.

Addressing the Committee next in opposition of NASCO, Linda Stall explained that the goal of her organization ([CorridorWatch.org](#)) that all citizens educate themselves about the corridor will have on their community physically and economically and then convey their opinions and concerns to their State Representatives, State Senators, Federal and local elected officials. ([Attachment 6](#)).

She pointed out that while the use and type of Public Private Partnerships are being expanded and explored, their long term impact is largely unknown. The advantages often touted include transferring the financial risk to the private partner, up-front payments, different bonding requirements and more flexibility with bond proceeds. But government entities utilizing these PPP agreements should be aware of certain risks. Recent reports raise concerns about unreasonable toll increases, long term contracts in excess of 50 years, loss of revenue and "non-compete", or "competition limiting" clauses which limit future public development of infrastructure.

CONTINUATION SHEET

MINUTES OF THE House Economic Development and Tourism Committee at 3:30 P.M. on March 17, 2008 in Room 519-S of the Capitol.

Appearing next before the Committee, William Moore offered documentation providing support of the reality of the existence of planning of the Corridor from both a trucking and rail perspective. This documentation is part of a file of 100 articles that demonstrate the NAFTA CORRIDOR. (Attachment 7).

Mr. Moore told the Committee that if you've ever traveled I Mexico you'll remember that a very large majority of the cars and trucks they drive are decades old vehicles that would not be driven in the United States. To the professional truck driver these vehicles represent the trucks that are taken off the road in the U.S. by their respective companies for a loss of cost effectiveness in maintaining their roadworthiness. The trucks have no sleeping quarters for the driver at the end of his driving hours. Instead he either sleeps on the ground or curls up in the seat of the truck. Neither provides a quality rest required by our DOT rules.

Saying that fuel costs between the countries is another aspect of this debacle, Mr. Moore said that these vehicles carry large volumes of fuel, usually around 300 gallons. Mexico is charging \$2.04 a gallon while in the U.S. at this time, the average Diesel is nearing \$3.90. If the trip to drop the freight and return is less than 1800 miles for the Mexican driver, they will buy no fuel in the United States so we're not even receiving any taxes from them

Mr. Moore finished his testimony by asking the Committee to take a stand. He asked them to tell the citizens of Kansas that they care about their financial future, their health and safety and their environment. And he asked them to tell the Federal Government to protect Americans first.

A brief questions and answer period followed.

The meeting was adjourned at 5:30 p.m. The next meeting is scheduled for Tuesday, March 18, 2008.

State of Kansas
House of Representatives

State Capitol, Room 110-S
300 S.W. Tenth Street
Topeka, KS 66612
785-296-7682
donohoe@house.state.ks.us



6265 Arapahoe Street
Shawnee, KS 66226
Cell: 913-484-1152

Owen J. Donohoe
39th District

NEW MOTTO FOR KANSAS

My new theme is Aerospace to Open Space

Nighttime vision in the sky of a satellite transitioning to sunset picture of the Flint Hills.

Rep. Owen Donohoe

(this has been copywrited)

Economic Development & Tourism

Date: 3-17-08

Attachment # 1



NORTH AMERICA'S SUPERCORRIDOR COALITION, INC.

901 Main Street / Suite 4400 / Dallas, Texas 75202
(214) 744-1042 / Fax (214) 744-1043
www.nascocorridor.com

NASCO Frequently Asked Questions

What is NASCO?

NASCO is a tri-national, non-profit, trade and transportation coalition committed to maximizing the efficient and secure movement of goods along the existing network of transportation systems running north-south through the central U.S., Canada and Mexico.

What is NASCO's purpose/mission?

NASCO's purpose is to boost economic activity while supporting needed infrastructure improvements, technological/security innovations and environmental initiatives within this mid-continent trade and transportation zone. In doing so, NASCO's efforts will create job opportunities and enhance the well being of workers, residents and consumers in the U.S., Canada and Mexico.

Where is the NASCO trade zone?

The NASCO "trade and transportation zone" encompasses Interstate Highways 35, 29 and 94, the significant east/west connectors to those highways, as well as rail, inland ports and deep-water ports impacting trade flow in the U.S., Canada and Mexico.

How is NASCO working with other transportation agencies in this zone?

NASCO's strategy includes supporting and facilitating any projects or initiatives that focus on enhancing the efficiency, security and safety of transportation, trade processing and logistics systems throughout the "zone."

Who are NASCO's members?

NASCO's tri-national membership includes departments of transportation from the U.S. states along the central north-south trade zone, inland port authorities, and other public and private sector entities related to trade and transportation.

What are some of NASCO's major accomplishments/activities to date?

NASCO's lobbying efforts have helped secure more than \$500 million in transportation project funding to date.

NASCO formed the North American Inland Port Network (NAIPN) as a subcommittee to develop an integrated, efficient and secure network of inland ports specializing in the transportation of containerized cargo in North America.

Economic Development & Tourism

Date: 3-17-08

Attachment # 2-1

NASCO and the U.S. Environmental Protection Agency have committed to work together to improve air quality and reduce air pollution emissions through new technology, market forces, promotion of alternative fuels use and economic incentives along the "trade zone."

NASCO is developing technology and strategic research projects that enhance the security, safety and efficiency of transportation, trade processing and logistics systems within the "trade zone."

NASCO is developing a tri-national, educational consortium to bring together the institutions that play a vital role in training the next generation of transportation innovators and providing critical studies and solutions to the ever changing needs and requirements the NASCO "trade zone" continues to face.

Is NASCO a part of a secret conspiracy?

Absolutely not. Our organization has been in existence for 12 years. We are not tied to any Presidential Administration. We welcome the opportunity to share information about our organization.

Will the NAFTA Superhighway be four football fields wide?

There is no new, proposed "NAFTA Superhighway."

As of late, there has been much media attention given to the "new, proposed NAFTA Superhighway". NASCO and the cities, counties, states and provinces along our existing Interstate Highways 35/29/94 (the NASCO Corridor) have been referring to I-35 as the 'NAFTA Superhighway' for many years, as I-35 already carries a substantial amount of international trade with Mexico, the United States and Canada. There are no plans to build a new, "NAFTA Superhighway" - it exists today as I-35.

SuperCorridor - not "Super-sized". As defined in Webster's dictionary, "Super" means "more inclusive than a specialized category". NASCO uses the term "SuperCorridor" to demonstrate we are more than just a highway coalition. NASCO works to develop key relationships along the EXISTING corridors (highways and rail lines) we represent to maximize economic development opportunities along the NASCO Corridor, as well as coordinate the development of technology integration projects, inland ports, environmental initiatives, university research, and the sharing of "best practices". NASCO is particularly focused on coordinating the efforts of local, state and federal agencies and the private sector to integrate and secure a multimodal transportation system along the existing "NASCO Corridor." NASCO is going beyond the traditional highway coalition in promoting improvements, maintenance and the integration of technologies along existing highway and rail infrastructure to maximize economic opportunities for the corridor due to increased trade and transportation. We work to promote the use of multiple modes of transportation. We work on economic development along the corridor. We work on environmental issues. We work on networking inland ports. We work on developing business relationships for our members. We are developing an educational consortium with Universities along the Corridor to coordinate research and to share information between them.

All decisions about adding capacity (additional lanes) to existing infrastructure or developing new infrastructure are made by the State Departments of Transportation and/ or regional transportation authorities. NASCO has nothing to do with creating new highways or rail infrastructure or adding capacity to highway or rail infrastructure.

Is the map on the website an approved plan for the proposed NAFTA Superhighway?

There is no proposed NAFTA Superhighway. The map is not a plan or blueprint of any kind. The infrastructure depicted on the map is not drawn to scale. The highways shown on the map exist today, and have been enlarged to highlight the NASCO Corridor focus area. They are EXISTING highways I-

35, I-29 and I-94 (the NASCO Corridor) in the United States, and existing highways connecting to them in Canada and Mexico. The rail lines have been placed on the map to show NASCO's multimodal approach. Our website is to promote NASCO – it is a marketing tool. If the highways were drawn to scale they would be very, very small. The map is intended to show we focus on more than highways. We focus on rail, trucking, inland ports, air cargo – multiple modes of transportation. The map is a marketing tool – not a plan for new infrastructure or a secretly approved plan by a government agency or administration.

The Trans Texas Corridor is the first section of the proposed, new NAFTA Superhighway...

There is no proposed, new NAFTA Superhighway.

The Trans Texas Corridor is a Texas Department of Transportation initiative proposed to solve critical transportation problems in the State of Texas. NASCO supports the TTC-35 (to parallel Interstate 35) section of the proposed TTC because it is directly related to, and will benefit, existing I-35, which is the NASCO Corridor. We have no authority over this initiative and know of no plans to extend it to other states.

Is NASCO competing with the west coast ports in California and trying to bypass them by using Mexican ports?

There is no competing with the California ports. They dominate now and will continue to do so. NASCO has no control over the flow of trade from Asia to the United States or Mexico. We are preparing our Corridor to handle increased trade and transportation whether it is moving to or from the east, west, north or south. NASCO is not competing with west coast ports, nor are we trying to take "work" from them. There is plenty of "work" to go around. If NASCO succeeds at improving the safety, security and efficiency of the NASCO Corridor, it will BENEFIT the west coast ports, as our corridor and inland ports could serve as inland destinations for storage of cargo cleared through the west coast.

Does NASCO have the authority to set or lift security and environmental regulations, and / or to make decisions about our nation's transportation system unilaterally?

We are not acting as a government agency. We have no authority to make decisions on behalf of governments. We have no authority to build or develop anything unilaterally, or set or lift government restrictions. We work with a common voice as an organization of both public and private sector members to advocate for necessary improvements and integration of technologies to be implemented along our Corridor, and to coordinate with state Departments of Transportation and federal and local agencies involved in transportation, trade and security to accomplish our mission.

Your mission seems to indicate you are building something new....

Our mission is to develop (NOT BUILD) the world's first international, integrated and secure, multi-modal transportation system along the International Mid-Continent Trade and Transportation Corridor to improve both the trade competitiveness and quality of life in North America. Out of EXISTING infrastructure. We are already an international highway system – any highway terminating at an international border crossing is an international highway and carries a certain amount of international trade. Because our Corridor has termini at the #1, #2, and #11 border crossings in North America, the NASCO Corridor already carries a substantial amount of international trade. "Integrated and secure" refers to the development and integration of existing technologies to help make the highways more

efficient and more secure. "Multi-modal" refers to the highways, rail lines, inland ports, airports and deep water ports along our corridor. We are working to coordinate the efforts of each mode of transportation to improve safety, security and efficiency along the existing NASCO Corridor.

We are promoting the EXISTING highways and rail lines and airports along our corridor to work together more efficiently. We work with cities and counties and states and Departments of Transportation and the private sector along the corridor. We encourage entities like state DOTs and federal agencies to interact and partner with the private sector to make better decisions and investments along the Corridor to make it more efficient, more secure and less congested.

BOTTOM LINE

For many years, the United States' #1 and #2 trading partners have been Canada and Mexico, respectively. China has just replaced Mexico as our #2 trading partner, moving Mexico to #3. Future increases in population, domestic and international trade make it imperative that we strategically position our Corridor to maximize our economic development opportunities. NASCO and our members work to make the existing, LEGAL movement of people and goods more secure and efficient, and to improve security, efficiency and supply chain management along the NASCO Corridor, which will result in increased competitiveness in the global market.

In May 2006, US Secretary of Transportation Norman Mineta, announced the National Strategy to Reduce Congestion on America's Transportation Network. The USDOT realizes the United States has a transportation congestion and funding crisis, and they are encouraging public/private partnerships and regional leadership to become part of the solution. NASCO is leading the charge.

Submitted March 17, 2008, by Owen de Long, ABD/PhD in Government (Harvard University) and Stephen W. Boyda, Attorney

Re: Milestones and documentation supporting the existence and development of what was initially called the "NAFTA SUPERHIGHWAY" by USDOT Secretary Mineta

Dear Members:

The Committee Chairman has requested a summary of the milestones in the development of an intermodal trade corridor which USDOT Secretary Mineta called the NAFTA SUPERHIGHWAY (this project was later called by other project names). Attached hereto is an historical bibliography, which sets forth the milestones by both chronological and categorical development (with reference to the most significant documents and articles in each category).

Overview given to supplement main points and documentation of the attached bibliography:

This is a 50-year project that is intended to establish Kansas City as the North American distribution hub for global trade manufactured in East Asia. The development of the program is incremental and opportunistic in the sense that the location for the various intermodal hubs and rail lines depends upon evolving opportunities for acquisition of land, including approvals by affected governmental entities. (See Wall Street Journal article about a recent boom in railroad building nationwide.)

Proof of the ongoing progress of the project is the recent dual success of the acquisitions of both Gardner land by BNSF and former Richards-Gebaur Airport by Kansas City Southern (via CenterPoint Properties) •

Crucial to having an overview to what is happening is that there are fundamentally two railroad lines at present competing for the East Asian trade. One runs through the Southern California Ports of Long Beach and L.A. across the western U.S. via BNSF rail lines to its old Kansas City terminus, formerly ending in Kansas City, Kansas, but soon to be replaced by a new hub in Gardner, Kansas.

The second major route, only in its developmental infancy, runs from two ports on the Mexican Pacific Ocean and the Mexican border at Laredo, Texas, or some other border juncture, and then proceeds via the Kansas City Southern Rail Lines to the new inland port via either Oklahoma and Southeast Kansas or Arkansas and Southwest Missouri.

The Trans-Texas Corridor is the first-built U.S. phase of either Kansas City Southern route.

Respectfully submitted,


Owen de Long


Stephen W. Boyda

Economic Development & Tourism

Date: 3-17-08

Attachment # 3-1

**THE NAFTA SUPER-CORRIDOR: A BRIEF TEN-YEAR
BIBLIOGRAPHY**

Compiled March 13, 2008, by Owen de Long, 913-908-0177
owen.delong@gmail.com

Kansas City Smartport and Mexican Customs Port in Kansas City

A-1 1997 K.C. Smartport Packet (6 pages) citing ~~about~~ KC as global trade hub (with multiple North American maps).

A-2 July 2006: “*Kansas City Customs Port Considered Mexican Soil ? Investigation Finds New Evidence U.S. Facility To Be [Declared] On Foreign Territory,*” by Jerome R. Corsi, Ph.D., World Daily Net, July 5, 2006 (+ see Gutierrez@kcsmartport.com for Executive Director Guitierrez’s 6/21/2004 email confirming this subject).

NASCO plea for money, NASCO membership packet, and USDOT Secretary Speech to NASCO Coalition in Texas

B-1 Testimony by top NASCO official urging U.S. Congress vastly to increase funding in 2004 (beyond the \$700 million then-recently appropriated [in 1998]) for “National Corridor Planning and Development” and “Coordinated Border Infrastructure,” programs NASCO itself had developed for “when the next Federal transportation bill is crafted,” which it proceeded to “craft” hand-in-glove with Congress’ NASCO Caucus for 5 years and got passed in 2006 for a total of \$ 4 billion (1998 plus 2006), with the help of two \$ ½ billion-plus earmarks (also listed in Aug. 4, ’06 Press Release below: “The Dust Has Settled on the Transportation Re-Authorization Bill.”).

B-2 NASCO Membership Packet

B-3 April 2004: Speech and photo of U.S. Transportation Secretary Norman Mineta “addressing the North America’s Superhighway Coalition (NASCO) on April 30,” 2004, at their transportation forum in Fort Worth, Texas. “Formed in 1997, NASCO is a partnership of businesses and state and provincial governments in the U.S., Canada, and Mexico focused on developing the international trade corridor ... from Laredo, Texas, to Kansas City, Missouri” (see USDOT website to download full speech)

NASCO’s report of moneys from USDOT highway appropriation bill, NASCO Executives and organizational structure, and Congressional Caucus Members instrumental in acquiring federal funding in USDOT budget

C-1 Aug. 2006: NASCO Press Release: August 4, 2006: “*The Dust Has Settled on the Transportation Re-Authorization Bill.*” NASCO hails passage of the two big bills it helped write: “TEA-21” (1998) + “SAFETEA-LU” (2006) = \$ 4 billion. www.nascocorridor.com

C-2 NASCO's own Literature on NASCO Executive Organization structure and US Congressional Members.

Eminent Domain decisions from the US Supreme Court and Kansas Supreme Court; Kansas Legislature's 2006 eminent domain legislation, with comments from Benjamin and Volland

D-1 April 2005: *Susette Kelo, et. al. v. City of New London, Connecticut, et. al.*, 545 U.S. 469 (June 23, 2005). U.S. Supreme Court declared that *public entities (municipalities) can seize private lands for development of private projects* which are considered by the municipal government to be in the public interest. A 5-4 decision, which produced a mountain of scholarly criticism. Principal legal basis for NAFTA Corridor land takings. Justice Stevens for the majority, joined by Kennedy, Souter, Ginsburg, and Breyer.

D-2 Charles Benjamin and Craig Volland Opinions Re: SB 323 (2006) Kansas Senate bill) summarizing eminent domain law in Kansas

Overview of Global Trade from China to Kansas City via cheaper Mexican ports vs. over-crowding of older and more labor-expensive ports in Southern California

E-1 June 2006: "*The China-Kansas Express*," by Dorothy Pomerantz and Evan Hessel, *Forbes Magazine*, June 16, 2006. Cover story on how Michael Haverty, CEO of Kansas City Southern Railroad, "believes the future of international trade hangs on a dusty Mexican port town" from which he will to run a railroad to Kansas City via the NAFTA Super-Corridor for distribution of goods throughout N.A. at former Richards-Gebaur.

E-2 Dec. 2007: "*Southern California Ports Move to Curb Emissions From Shipping Industry*," by Matthew L. Wald, *The New York Times*, Mon., Dec. 3, 2007, page A1. Key quotation is from Port of Long Beach Mayor Bob Foster: "We're not going to have kids in Long Beach contract asthma so someone in Kansas can get a cheaper television set." Diesel particulates are spiking cancer rates in a 20-mile plume around the two business swamped Ports of Long Beach and Los Angeles.

Trans-Texas Corridor (600-mile Phase One, of overall 4,000-mile North American Super-Corridor) a key issue in 2006 Texas Governor's race, and current (Feb. 2008) public outcry at route-determination meetings throughout Texas

F-1 July 2006: "*Farmers Furious at Texas Governor over Proposed Superhighway*," by Kelley Shannon, Associated Press, Thursday, July 20, 2006, WBZ Boston, 1030-AM, plus full page in *The Kansas City Star*, same day, page A2, and in many others nationwide (AP).

F-2 Feb. 2008: *“Proposal in Texas for a Public-Private Toll Road System Raises an Outcry,”* by Ralph Blumenthal, National Report, The New York Times, Sunday, Feb. 10, 2008, p. 14, sec. 1. Photo shows two Texas farmers at “a meeting last week in Robstown, TX, on the Trans-Texas Corridor project, which could cut through their land.” Subtitle under a map: “If it is completed in full, the Trans-Texas Corridor, a public-private highway partnership, could cost about \$ 200 billion.” “The plan envisions a 4,000-mile network of new toll roads, with car and truck lanes, rail lines, and pipeline and utility zones, to bypass congested cities and speed freight to and from Mexico.”

Protests in 2006 by citizens of Gardner, Kansas, against BNSF plan to establish intermodal hub in Gardner for Southern California trade route from China (to replace old BNSF hub in Kansas City, Kansas; and BNSF 2008 victory in acquiring Gardner City Council tax break finalizing the deal

G-1 July 2006: “GARDNER [KS]: Challenging the power of railroads can be daunting. Trying to derail big freight hub. Gardner residents face a steep hurdle as they protest a \$1 billion project,” by Brad Cooper, The Kansas City Star, Mon., July 10, ‘06, page B4; & onward.

G-2 March 14, 2008. “Gardner grants tax break to bring in rail hub,” The Kansas City Star , Friday March 14, 2008 page B2

Development of former Richards-Gebaur Airport by CenterPoint Properties as northern terminus of Kansas City Southern Railroad’s new and cheaper route for China trade flow via new and labor-cheaper ports on the Mexican Pacific Ocean, realizing a hundred year dream of KCS Railroad’s founder

H-1 May 30, 2007: “June close eyed for Richards-Gebaur sale,” by Rick Alm, The Kansas City Star, page C3

H-2 June 28, 2007: “Developer takes over Richard-Gebaur Land.” by Rick Alm. Subtitle: “City transfer makes way for redevelopment calling for an intermodal rail and trucking port.” The Kansas City Star, Thursday, June 28, 2007, page C2

H-3 August 15, 2007: *“Groups honor work to build [SOUTH KANSAS CITY] intermodal [HUB]. Jobs will be created at former Richards-Gebaur air base,”* by Kellie Houx, The Wednesday Sun, August 15, 2007, pages 1A + 11A. CenterPoint Properties (Chicago), The Kansas City Port Authority, and Kansas City Southern Railroad celebrated a deal that puts the former airport in CenterPoint’s hands to develop it into an “intermodal freight gateway” to serve as a northern terminus of the NAFTA SUPER-CORRIDOR. This is envisioned to be “the jewel of south Kansas City” ... but not a jewel of environmental health.

TESTIMONY

March 17, 2008
Kansas State Legislature

Amanda Teegarden
OK-SAFE, Inc.
www.ok-safe.com

Subject: NASCO
(North America's SuperCorridor Coalition, Inc.)

Economic Development & Tourism
Date: 3-17-08
Attachment # 4-1

Overview of NASCO & NAFTRACS - Global Tracking System

OK-SAFE, Inc. – www.ok-safe.com – March 2008

Information Technology Systems (ITS) leading to “Total Domain Awareness” have been likened to an “Orwellian” surveillance system and a government control nightmare, of mammoth proportions. It is a technological system that could ultimately be used to track, record, and control *all* modes of transportation, both commercial and private. NASCO, utilizing Public/Private partnership arrangements, promotes such a system.

1. NASCO:

North America's SuperCorridor Coalition, Inc., headquartered in Dallas, TX
Website: <http://www.nascocorridor.com>

2. Mission: To create the world's first *international, integrated, and secure multi-modal* transportation system along the *International Mid-continent Trade and Transportation Corridor*.

Note: Security is used as a marketing tool to garner federal money.

3. Mission (Rev. for 2008): To enhance economic development and security along the NASCO Corridor

4. NASCO Corridor Focus: I-35, I-29, I-94, and connecting highways, plus connecting transportations systems in Canada and Mexico

5. Membership: Tri-national, mid-continent trade and transportation corridor, from Canada, United States, and Mexico, including government agencies and private sector

6. NASCO PAID Staff:

- Tiffany Melvin, Executive Director
- Rachel Connell
- Francisco Conde

7. NASCO Board President: George Blackwood, attorney

8. NASCO Nine Member 501c3: Handles the IMTTC NAFTRACS Project, Chaired by Jim

9. NASCO Five Member Business Finance Plan Committee: Representatives from Cadre, Lockheed Martin, and others

10. Founded: 1994/1995 after passage of NAFTA

11. NASCO: Progressively known as:

- IH-35 Coalition
- I-35 Corridor Coalition
- North America's Superhighway Coalition, Inc. (NASCO)
- North America's SuperCorridor Coalition, Inc. (NASCO)

12. NASCO Corridor is also called:

- The NAFTA Superhighway, (As designated by legislation SJR 22, 1995 Oklahoma)
- International Mid-continent Trade and Transportation Corridor (IMTTC) - for the NAFTRACS Project
- Mid-continent Trade Corridor
- Mid-continent Trade and Transportation Corridor
- Interstate 35 International Trade Corridor

13. Special Project: NAFTRACS, (North American Facilitation of Transportation, Trade, Reduced Congestion, and Security), formerly STRAP3, funded via earmarks and grants.

14. NAFTRACS Project: NASCO's integration project; a global tracking system, utilizing the SaviNetworks system, to create Total Domain Awareness, compared to an “Orwellian” big-brother surveillance and control nightmare. [RFID, GPS, Radar AIS, CCTV, Intel, Open Source, NOAA sources of data]

15. SaviNetworks/Savi: A joint venture of Lockheed Martin and Hutchison Port Holdings (HPH). HPH is a wholly owned subsidiary of China's Hutchison Whampoa, Ltd. Lockheed 51%/HPH 49%.

16. NASCO Goal: 200 Savi sites along the corridor

17. Trans-Texas Corridor 35 (TTC-35) - NASCO joined forces with TxDOT in January 2006 to ensure development of the TTC-35.

18. NASCO Board Member Coby Chase considered “one of the architects of the Trans-Texas Corridor”

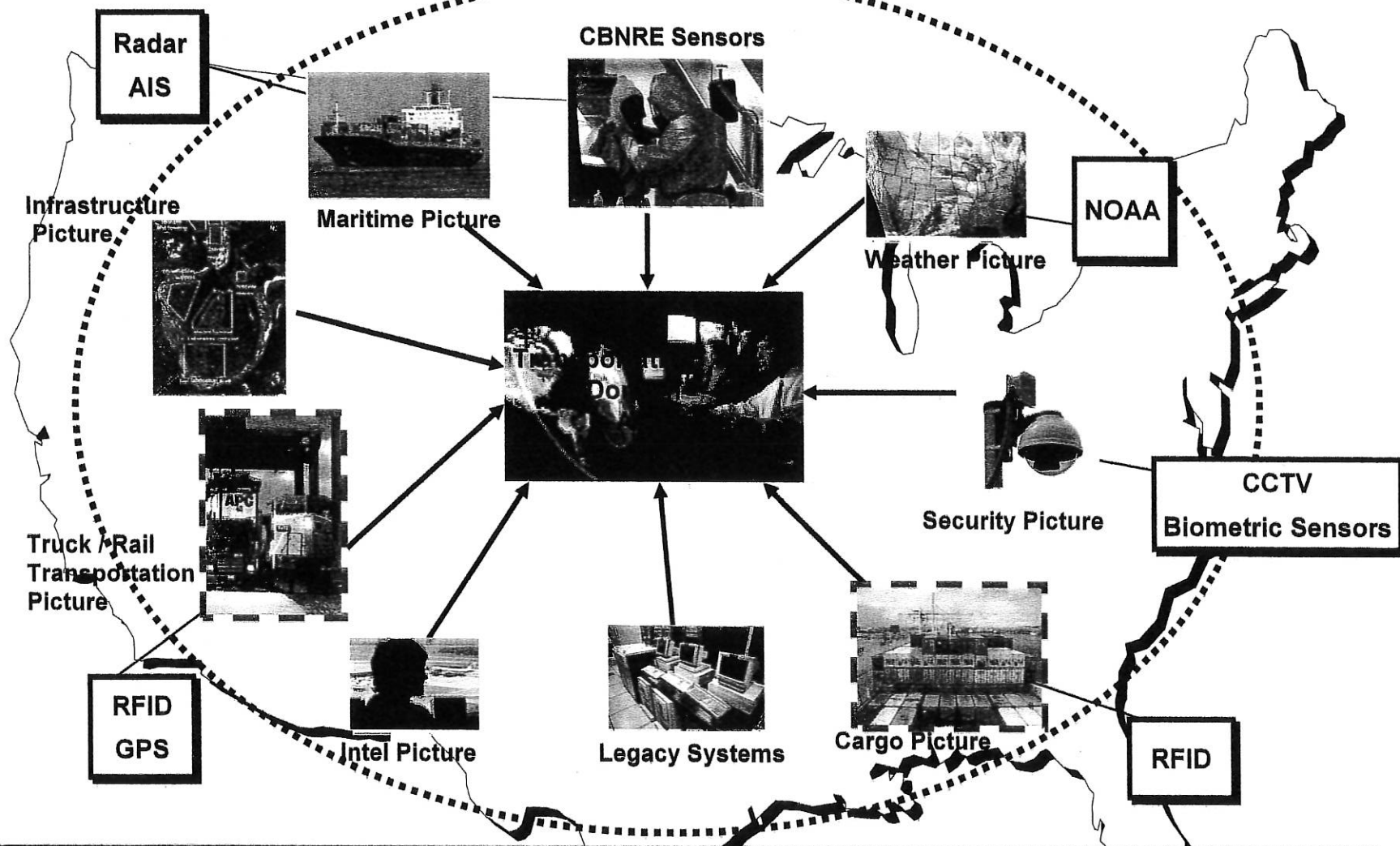
19. NASCO's mission in Mexico - July 2006, USTDA awarded to Mexico s grant to develop Mexico's multimodal infrastructure.

20. NASCO June '07 Coordinated the MOU between Texas and Nuevo Leon, MX for the INVITE Program, a regional integration plan for 4 Northern Mexican states and Texas.

21. NASCO promotes the controversial Kansas City SmartPort.

22. SPP: Board President George Blackwood participated in the Security and Prosperity Partnership conference in Louisville, KY 2006. NASCO distributed SPP Report to Leaders book at North America Works II Conference; Jim Bergfalk's power point listed SPP/NASCO goals.

Information Integration



Automatically gather, correlate, and interpret fragments of multi-source (Radar, AIS, & GPS tracks, Open Source , Intelligence, Watch list & Law Enforcement Report, CCTV, Bioterrorism sensors) data together into one collaborative portal-based environment

TESTIMONY

Before the Kansas State
House Committee on Federal and State Affairs

March 17, 2008

Topeka, Kansas

David K. Stall
CorridorWatch.org

Chairman Siegfried and committee members, thank you for the opportunity to address you today.

My name is David Stall and I am speaking on behalf of CorridorWatch, a national grassroots citizen's organization based in Texas that represents tens of thousands of members in forty-four states including Kansas. Our focus is primarily on the Trans Texas Corridor and the considerable impact it is having on a wide range of transportation and related public policy issues.

You might wonder why citizens in forty-three states beyond Texas are concerned about the Trans Texas Corridor or as we call it, the TTC. The answer to that question is that the TTC is being widely promoted as a *model* for the nation by Texas officials and more significantly by the Federal Highway Administration and the US Department of Transportation. While we as an organization express no opinion about the North American Free Trade Agreement, the TTC is considered by many to be the first of new breed of NAFTA superhighways. It is not simply an expansion of existing highways, it is an entirely new corridor on a new alignment that bypasses every population center within the state. It is certainly by design and stated purpose a multinational multimodal corridor intended to provide a connection between Mexico and Canada.

Our major concerns center on the process that created the Trans Texas Corridor and certain very specific details of the TTC model. Chief among our concerns are the private profit motive and the tremendous abuse of condemnation and taking through use of eminent domain.

The overarching objective of improving transportation has merit. Of course we need better, safer, and more efficient transportation. And we must come to terms with the limited revenue available to maintain, expand and enhance our transportation systems. But we seriously question that the Trans Texas Corridor is the answer for Texas, or for the rest of the nation.

From the beginning the TTC was designed to produce revenue first and serve the public transportation needs second.

The TTC is a flawed project that has grown out of a flawed process. The TTC is not the product of open debate and collaboration aimed at addressing transportation needs. The TTC is the product of a mandate to generate revenue, albeit transportation revenue.

The TTC does not solve the significant issue of urban congestion. The TTC does not provide increased capacity between where people live and where they work, shop and recreate.

Monetization is a buzzword increasingly used in the context of transportation facilities. In that usage, monetization is extracting a cash value from public assets. We note that state highway lands are in deed public assets and that the state acquired them with resources provided by taxpayers. Extracting additional revenue by tolling highways built with tax dollars is to tax the public twice.

Government should be the steward of public assets, not the mechanism by which public assets are used to extract a profit from the citizens as if government were private industry whose interests are independent of public interest.

Public turnpike authorities operate highways to serve the public interest. The Kansas Turnpike is a good example. Private turnpike operators on the other hand

serve different interests. We should all have serious concerns about toll agreements that limit future opportunities to protect a private partners profits.

Our transportation policy should promote flexibility and expand opportunities not foreclose on them.

CorridorWatch has no objection to private investment or financing. We do however have concerns about tolls that are driven to the highest rates by a contrived market valuation. We say contrived because the facility is in fact a public owned monopoly and not subject to market forces. Placing a market value fee on public roadways is no more appropriate than market value fees on our public libraries or local police services.

We have concerns about creating a commitment to tolling where the toll mechanism is driven by a cost index that insures that tolls will compound the burden on taxpayers and motorists as other consumer costs rise.

We have serious concerns about the non-compete and compete penalty clauses that are being routinely included in public-private partnership agreements. These provisions often limit the expansion of existing free facilities, and as is the case in one Texas agreement trigger a reduction of speed limits on the existing free facilities thus diminishing their current capacity and forcing traffic to the private toll alternative. These agreements serve the interest of the private investor at the expense of the public interest.

Non-compete clauses together with buy-out provisions can, and have, forced government to pay several times over the original value to regain control of leased highway facilities. Such was the case with State Highway 91 in California.

Beyond non-compete and compete penalties there are other issues. By their very nature these contracts remove flexibility as they create long term commitments to

sustain private toll based transportation in the face of changing needs, technology, and funding systems.

As you know transportation financing today is in a state of flux. The system of fuel tax and registration fees may eventually be transitioned to a mileage based tax or some other yet undefined funding system. Any funding transition will certainly be more difficult if private operators have a toll based profit to protect.

We have serious concerns about eminent domain abuse and an assault on private property rights.

At 1200 feet in width the TTC will consume 146 acres per lane mile. That's a tremendous amount of real estate being converted from private land to state land without reasonable justification.

Recent court rulings at the federal level provide little protection to private property owners. In Texas property owners are no longer guaranteed market value for property condemned nor will they be compensation for land rendered inaccessible or usable in the wake of the TTC.

Beyond the initial 4-lane toll road as in the case of TTC-35, the balance of land use is all speculative. The proposed phased construction or development of elements that are not needed today may never be required.

The TTC 50-year plan calls for 10 vehicle lanes provided in four sets, six rail lines, and a two hundred foot utility zone. Using the recognized engineering criteria for all of those elements including safety buffers and drainage, the entire project can safely be built inside an 800-foot wide corridor. Why then is the TTC corridor width 1,200-feet?

One reason the TTC is so wide and is authorized to take even additional land is so that the state and their concessionaire can expand the development of business directly accessible only by the corridor. In this manner the concessionaire is given control over economic development and is given the opportunity to provide an endless range of on-corridor services. With the addition of hotels, full-service restaurants and shopping opportunities the corridor will effectively nationalize economic development and tourism at the expense of communities, large and small, across the entire nation.

With the new pressure of a private developer, land acquisition will certainly be more aggressive than it has been for any road project of the past. Provisions like "quick-take," the ability to immediately take possession of property for construction during the conclusion of the condemnation proceeding, will likely be used for the first time. Lease back provisions could quickly make the state a landlord collecting rent payments from citizens who previously owned the land they work and live on.

We are concerned about land banking, a practice of acquiring private property not in the path of the transportation project, as a set aside for future potential environmental mitigation. Most troubling is recent authorization to utilize eminent domain to seize property for land banking purposes.

We are concerned about the basic design of a corridor that put so many critical facilities in close proximity. Doing so increases the vulnerability of our critical infrastructure to accidental disruption and intentional attack.

Mostly however, we are concerned about a public policy that is absent substantive public input or participation.

During the last legislative session in Texas it was made abundantly clear that the citizens of Texas want to slow down and examine the TTC before rushing forward. Thousands of citizens appeared at hearings and on the steps of the Capitol. The

Legislature heard them and introduced no less than seven bills that included a moratorium on the development of the TTC. Two of those bills passed both houses.

The TTC model is headed your way. It may have a different name or be repackaged, but it will be proposed for Kansas. We urge you to exercise utmost caution to protect your state and its citizens.

Thank you for your time and attention this afternoon.

David K. Stall

David Stall is a career public servant with more than thirty years experience in local government holding both elected and appointed positions. His career includes law enforcement, fire service, emergency management, public administration, and serving as a city councilman. He has been appointed to numerous municipal, county, and federal boards and commissions. He has been a leader in the fields of economic development, tourism, flood control and emergency management.

Currently Stall serves as City Administrator for the City of Shoreacres in Harris County, a suburb of Houston. Previously he served as City Manager in Columbus and Nassau Bay, Texas. Other positions held include Chief Fire Marshal, Assistant Chief of Police, City Treasurer, Emergency Management Coordinator, and Houston Fire Academy instructor.

During his career he has attained many professional designations including Credentialed City Manager, Master Peace Officer, Law Enforcement Instructor, Fire Service Instructor and Emergency Management Instructor. He is a graduate of the Career Development Program of the Defense Civil Preparedness Agency (now FEMA) and a participant in the Texas Law Enforcement Management Institute.

Stall has significant experience in transportation planning that includes serving on a county airport advisory board, regional transportation planning organization, and coordinating a multi-jurisdictional transportation project with the Texas Department of Transportation.

David Stall together with his wife Linda Stall created CorridorWatch.org in 2004. Since then David and his wife have worked diligently to increase public awareness and understanding of the Trans-Texas Corridor. Through CorridorWatch they provide a statewide network of communication for citizens and local government officials with shared concerns. CorridorWatch provides access to valuable resources useful to identify and address a wide range of potential economic, social, political and environmental impacts related to the proposed Corridor projects. Today CorridorWatch.org has members in 43 states. CorridorWatch has provided legislative and informational assistance to legislators in six states.

TESTIMONY

BEFORE THE

STATE OF KANSAS HOUSE COMMITTEE

ON

FEDERAL AND STATE AFFAIRS

MARCH 17, 2008

LINDA A. STALL

CO-FOUNDER, CORRIDORWATCH.ORG

Economic Development & Tourism

Date: 3-17-08

Attachment # 6-1

Public Private Partnerships

There is a lot of debate and discussion in Washington and our state capitols, about new applications for old tool long used by government entities. Public Private Partnerships are designed to allow a government entity working together with a private partner to provide a service to its citizens more efficiently. For example, many communities privatize their trash collection, or the operation of their hospitals, saving the community from large overhead costs. These are common uses of the Public Private Partnership tool.

Long Term, High Dollar

Customarily, such public private partnerships are re-bid every two years or so. Recently, long term, high dollar agreements have been executed for the sale of transportation infrastructure in Indiana (75 years), Illinois (99 years) and Ontario, Canada. Enticed by large up-front payments from the private concessionaire, state agencies have entered into long term lease agreements for the operation of existing toll facilities, all with the same Spanish firm, Cintra. Subsequent evaluation of these agreements reveals that those government entities may have sold themselves, and their citizens, short. In the case of the Indiana Toll Road, the concessionaire will see a return of their initial \$3.85 billion dollar investment earlier than originally thought, The initial up-front payment will address only 11 years of needs in Indiana, after that they will have to develop another source of revenue. The years of toll revenue stream which would have previously been utilized by State and local elected officials, will instead be the profit of a private concessionaire. Contract oversights cost citizens money. The State of Indiana failed to include a discount for toll tag users, and when the citizens lost their 40% discount, the State was forced to forgo \$250 million dollars in concession payments to reinstate it. In the Country of Wales in the United Kingdom, the public private partner negotiated a "shadow toll" system underwhich the government pays the concessionaire a per car fee on the 21 mile road for a thirty year term. They were outsmarted by the private partner. In the first three years the private partner has been paid 45.8 million pounds, for a road that cost only 100 million pounds to build.

Not Just for Transportation

Public Private Partnerships are not limited to transportation assets. All classes of public assets are under consideration: ports, penal systems, hospitals, educational facilities, airports parking facilities, water treatment facilities and waterways, to name a few. In a list recently provided to New Jersey Governor John Corzine, UBS identified several investment opportunities worthy of consideration including the lottery, development rights at state transit stations, the state fiber-optic network and, surprisingly, naming rights to public facilities!

Pros and Cons

While the use and type of Public Private Partnerships are being expanded and explored, their long term impact is largely unknown. The advantages often touted include transferring the financial risk to the private partner, up-front payments, different bonding requirements, and more flexibility with bond proceeds. But government entities utilizing these PPP agreements should be aware of certain risks. Recent reports raise concerns about unreasonable toll increases, long term contracts in excess of 50 years, loss of revenue and "non-compete", or "competition limiting" clauses which limit future public development of infrastructure. In an article appearing in the New York Times, the author states: "without a public debate or formal policy decision, contractors have become a virtual fourth branch of government". NJPIRG, commenting on the potential privatization of New Jersey Turnpikes says: "The turnpike must be managed for public, not private benefit", and cautions that

New Jersey's infrastructure decisions should be based on public needs, not protection of investor profits".

Private Money?

Public Private Partnerships are often touted as "transferring the risk" of the project to the private partner. In order to determine if the private partner is actually assuming that risk, we must look at the source of their funding. Cintra, it was revealed this week, is borrowing \$430 million in taxpayer dollars, as part of the funding necessary for SH 130 in Texas.

Oversight and Peer Agency Review

All major Public Private Partnership agreements, exceeding an established dollar figure, should be evaluated by a designated agency, other than the entity entering into the agreement. For example, the recent Texas State Auditor's report on the Trans Texas Corridor recommended that such agreements with a dollar value in excess of \$350 million dollars be reviewed by the Attorney General's office. To protect the interests of citizens, peer agency review and legislative oversight must be a required element of the Public Private Partnership process.

Accountability

When toll rates are raised by local or state agencies, the citizens have an opportunity to affect that decision. They can speak out at public forums and they can respond at the ballot box. Elected officials are sensitive to this, and the decision to raise tolls is made with caution and out of necessity. A private operator's motives are profit driven, and the public's opportunity to affect that decision is severely limited. If the operator is a foreign company they are even more immune to the public reaction.

Critics of operation by foreign operators have also expressed concern about allowing a foreign company to have so much control over critical infrastructure. In Texas, the plan calls for multi-modal development, including rail, vehicle lanes, utilities and communications in one corridor. Others are concerned that the development of ports on the West Coast of Mexico. As these ports take on more and more of the import traffic, they may ultimately doom our American West Coast ports diminishing our ability to mobilize in an emergency.

Decision Makers

The New York Times (2/7/07) states that "without a public debate or formal policy decision, contractors have become a virtual fourth branch of government". No lobbyist will come to you and say "Let's steal land from your citizens and build the NAFTA Highway". They will come with an enticing presentation, offering to build much needed infrastructure without costing the citizens any money. They will ask only for the opportunity to collect the tolls, choose the location of the road project, collect a profit (a reasonable request from a private company) and they will need a 50-100 year contract. And no public bidding, please.... They need a monopoly to be profitable. In Texas, the 2006 State Auditor's report revealed that TxDOT has already spent 90 million taxpayer dollars on the planning and environmental process, including \$18 million dollars to one attorney on TTC-35.

Recommendations

Before any government agency or entity is authorized to enter in a binding agreement, in excess of a pre-determined dollar figure, the advantages and disadvantages of each proposal received from a qualified Private Partner and terms, length and benefit of the agreement should be evaluated by a designated state agency, using an established criteria, and be approved by the Legislature.

Linda Stall is co-founder of CorridorWatch.org, a grass roots organization dedicated to educating Texans and all Americans about the Trans Texas Corridor. Stall began speaking out against the multi-billion dollar public-private partnership project in 2002, and in 2004, with her husband, David, founded CorridorWatch.org. The CorridorWatch website is a key resource for information, maps, news articles and archives on the Trans Texas Corridor, other toll projects and public private partnerships. Together Linda and David have traveled throughout Texas and Oklahoma in an effort to educate and inform all citizens about the potential impact of this project. From 2005 through 2007, Linda served on TxDOT's Trans-Texas Corridor Advisory Committee, and was the lone opposition voice on that 20 member panel.

Stall grew up in the San Francisco area and attended the University of California at Santa Barbara. After living in Houston off and on for the last two decades, she currently makes her home in Fayette County, Texas, where she works as an Escrow Officer.



WHAT IS CORRIDORWATCH.ORG?

CorridorWatch.org is a grass roots organization founded by Linda and David Stall, to educate the public about the Trans Texas Corridor.

Originally formed in 2002 as an independent study group named TransTexasCorridor.net, the name CorridorWatch.org was adopted in February, 2004 as part of an aggressive campaign to educate the public about the Trans Texas Corridor.

MISSION AND GOALS OF CORRIDORWATCH.ORG:

The mission of CorridorWatch.org is to work to increase public awareness and understanding of the Trans Texas Corridor and its impact on Texas; provide a statewide network of communication for citizens and local government officials with shared concerns; and, provide resources to assist the public and local government officials to identify and address potential negative impacts (economic, social, political and ecological).

It is our goal that all citizens educate themselves about the ramifications of the corridor plan, evaluate the impact the corridor will have on their community physically and economically and then convey their opinions and concerns to their State Representatives, State Senators, Federal and local elected officials and encourage those elected officials to bring their concerns to the County Courthouse, to Austin and to Washington.

PUBLIC INPUT:

We believe that the public input element of any project of this scope and scale should never be streamlined, that the minimum standards established by the Legislature in HB3588 for public input should be exceeded and not just satisfied, and that the public should continue to have the opportunity for meaningful, informed input even as the project progresses.

MEMBERSHIP:

Membership in CorridorWatch.org currently includes citizens in over 199 Texas counties as far away as the Panhandle, and 44 States across the nation, and grows daily, proving that this is an issue of concern for all Texans and all Americans.

For more information about CorridorWatch.org, the Trans Texas Corridor and the laws that enabled it, please visit our website: CorridorWatch.org.

Presentation before the Committee,
Kansas Legislature
March 17, 2008

Prepared by Bill Moore

Esteemed Legislators, Staff and Gallery
Good Afternoon,

I am William Moore. I am presently employed by the International Brotherhood of Teamsters with Offices in Topeka, Chicago and Washington, DC.

Let me say before I begin here that I have no animosity or prejudice against the Mexican people. This is not a race issue but a policy and economic issue. Our Government policies have opened up a can of worms which offers the chance for Mexican Drivers to benefit from our economy without all the safeguards required of an American Trucker. If the financial rewards were reversed and the work was in Mexico, we would be attempting the same thing. In fact if you really think about it, that is exactly what some world leaders want and/or refuse to care about.

You will or have heard today from several speakers offering varied perspectives on the effects of Cross Border Trucking and the Nafta Corridor. From others you will or have heard a legal point of view, a policy point of view as well as personal points of view.

I would like to give you an American Trucker and American Family point of view.

I have documentation that I believe is of interest to those considering the actions of this committee. I will not read them, but will offer them as part of a packet to be left with you. This documentation provides support of the reality of the existence of planning of the Corridor from both a Trucking and Rail perspective.

Economic Development & Tourism
Date: 3-17-08
Attachment # 1-1

First, do you believe in the reality that the United States is forming the NAFTA CORRIDOR from Mexico to Canada VIA Kansas City? Documentation is provided that gives you a strong argument for that reality. This documentation is part of a file of a hundred articles that demonstrate the NAFTA CORRIDOR.

Second, How many of you have traveled by auto or truck in Mexico? Those of you that have, recognize that a very large majority of the auto and trucks that they drive are decades old vehicles that would not be driven in the United States.

The reality is that in a large percentage, their TRANSPORT TRUCKS are no different.

I have provided a couple of pictures from the Border when I was there in October. I apologize that the quality is not better.

To the untrained eye, these TRUCKS are just trucks. But to the professional truck driver, these vehicles represent the trucks that are taken off the road in the United States by their respective companies for a loss of cost effectiveness in maintaining their roadworthiness.

Look really closely at the white tractor that has the Nafta Kills signs waiving before it. When blown to full size one see's a bumper that is mangled, oil residue splashed on the grill from leaking engine, and simple a Non Sleeper truck. This means that the truck has no sleeping quarters for the driver at the end of his driving hours. Instead he either sleeps on the group or curls up in the seat of the truck. Neither provides a quality rest required by our DOT rules and that is assuming the Driver decides to abide by our D.O.T. Rules.

Another example of this aged equipment is the orange trailer you see. A professional driver sees a worn out Schneider National USA trailer that has been purchased into Mexico and returns to USA highways. Again, these trailers are disposed of in the United States when the floors become unsafe/and or the running gear becomes worn beyond reasonable financial repair costs.

Third, we are a state of Kansas in which most of us pride ourselves in the Family first concept. Nafta violates this in two easy to see ways. I provided you a handout from the honest hardworking Kansans in the Gardner Kansas Area. They are adamantly opposed to the radical changes of their lives that will result if the Nafta Corridor proceeds unchecked. Traffic, Noise, loss of their environment and pollution are just a few of the radical changes that will be thrust on this Kansas community.

Additionally as we look at families, let's look at safety and family security.

When one studies the proposed Corridor one will see "ports" along the way. According to documentation I have given you, these "Ports" will actually be "Mexican Countries" within our United States, operating under the Mexican government with Mexican workers and Mexican labor laws.

Then, picture yourself driving down the highway. The kids and your spouse are with you. Behind you is an 80,000 pound rig full of who knows what. The ground is icing from a freezing drizzle and the road is getting slick. You have driven on ice often and adjust your speed as does the driver further ahead of your path. But what about that driver who follows you who has never even seen ice or snow. Does he know how to control a tractor trailer in a wind skid or a breaking skid? Highly doubtful! And this assumes that the truck following you has met the rigid mechanical standards of the American owned and operated trucks.

God forbid that your vehicle is involved in such an accident with a Mexican transport truck. Who will you turn to for financial obligations like insurance? What are the odds the operator will even stop if the truck is not damaged? After all, he will be heading back across the border soon.

Fuel costs between the countries is nother aspect of this debacle in that these Truck Tractors carry large volumes of fuel, not unusual to hold 300 gallon. Mexico is charging 2.04 dollars a gallon while in the US, the average Diesel this month is nearing 3.90 dollars. For those running from Mexico into the United States, their first tank of fuel will conservatively cost about \$1.75 dollars a gallon less or \$ 525.00 per trip less because the Mexican Truck will start out full from Mexico and then return to Mexico. So even if that Mexican Truck has to buy gas in the US, they will have a \$ 525.00 per trip advantage. If the trip to drop the freight and return is less than 1800 miles for the Mexican Driver, they will buy no fuel in the United States. Again, no taxes paid on the fuel, which amounts to about 40 cents per gallon.

Emissions, a subject reverberating around this very building is another cross border issue. Pemex, the Mexican Government owned Fuel System is not prepared to meet the new standards of the U.S. Emissions controls on Diesel Tractors and in fact says, **"Changing the fuel specifications of automotive diesel in Mexico from 500 ppm sulfur maximum today, to less than 15 ppm, to supply the entire diesel fleet -- with an average age of 15 years -- is a high cost to pay,"** the Pemex official **emphasized.** Without this, American Trucks could not operate their vehicles on Mexican fuel thereby denying them access to Mexican Markets, while Mexican trucks come to the United States spewing large volumes of emissions in violation of the U. S. Law.

America has an admitted smuggling and immigration problem as it is. What will happen with the quantities of drugs and goods that are brought into the U.S. illegally when thousands of vehicles can carry them, The D.O.T. admits that they cannot inspect every truck for safety, let alone having border patrol inspect them for content. Clearly Mexico will become the route of choice for not only South American Drug smugglers but from other continents as well if Mexico has a Government approved Corridor with which to bring in SEALED containers.

Many jobs will be affected. There are already discussions about the new CHINESE entries into the car market of the United States being shipped in through the Mexican Ports. This is just one of the thousands of examples of diversion of port destinations and shipping routes that will put thousands of workers out of work in our United States ports, as well as our Transportation workers on Rail and Truck that transport our goods from the East and West Coast.

In your packet is an article from USA Today in which Bill Gates, the third richest man in the world, arguing that we should allow more H1B Visas to foreign Computer Techs. The same article has the condemnation of this idea by a Californian Republican Legislator who correctly points out that this will cause a reduction of wages and benefits to American Techs which will further reduce the number of workers seeking to become skilled enough for these positions, eventually creating a spiral to the bottom.

The United States has a shortage of Truck Drivers, partly because of the high costs of fuel to maintain a business, but also the high price of a quality rig that can maintain American Standards and the cost of that maintenance. So if you use the Bill Gates theory which is not so far off the 'Cross Border Trucking' theory, then more drivers in lower standard rigs will create less pay for American Drivers and less American Drivers and Rigs on the Road, leaving

the Transportation industry to foreign Mexican Trucks and Drivers in Trucks like those pictures I have given you.

The continuance on this path is a definite race to the bottom with all trappings of family safety disasters, diminished environmental quality, loss of tax contribution (which I have not even talked about today), and importation of contraband that can end up in the hands of our children.

Please, take a stand. Tell the Kansas citizens and your family that you care about their financial future, their health and safety, their environment. Tell the Federal Government to protect Americans First.

Thank you.



- The Kansas City Southern Railway Company
- Kansas City Southern de Mexico, S.A. de C.V.
- Haulage Rights
- Trackage Rights
- Leased Lines
- Short-Line Connections
- UP
- CBX
- FXE
- FSRH
- CN
- SWSF
- NS
- ICAE
- Panama Canal Railway Company

Route Miles from Lazaro Cardenas	
Toluca	430
San Luis Potosi	481
Monterrey	789
Laredo	944
Houston	1,322
Dallas	1,838
Jackson	1,845
Corinth	2,134
Kansas City	2,182
Charlotte	2,512
Rutherford	3,006
Croston	3,181



Shipping-corridor deal cuts heart out of heartland

By Phyllis Schiafly

Tuesday, August 8, 2006

Grass-roots Americans of all parties and economic classes rose up out of their political apathy a few months ago and forced President George W. Bush to reverse his administration's decision to allow a Middle East government to own America's major ports. But the push for foreign ownership continues: the next port scheduled to be taken over is Kansas City, Mo.

Even though public schools stopped teaching geography a couple of decades ago, most Americans (especially residents of the Show Me State) are surprised to learn that Kansas City (where the only waves are "amber waves of grain") is a port. We are also surprised, and shocked, to discover that Mexico will be running its own inspection facility there.

The plan, shrouded in secrecy, has been in the works for at least three years, but it is now coming to light because of the diligent use of Missouri's Sunshine law by concerned citizens. Joyce Mucci and Francis Semler forced the release of the e-mails from Kansas City to Mexico, including one admitting that "The space (in Kansas City) would need to be designated as Mexican sovereign territory."

SmartPort representatives are now running away from this written admission, blaming "the problems and pressure the media attention has created." However, the stubborn sovereignty issue won't go away; the plan does involve setting up Mexican customs officials in downtown Kansas City.

The mechanism for this deal is a "nonprofit" business economic development corporation called Kansas City SmartPort Inc., whose president is Chris J.F. Gutierrez. The deal calls for Kansas City to lease the valuable property at 1447 Liberty St.

As laid out on SmartPort's Web site, the plan is to enable products made in China to travel in sealed "containers nonstop from the Far East by way of Mexico," through "a ships-to-rail terminal at the port of Lazaro Cardenas, Mexico," then up "the evolving trade corridor" [**In Texas, the Trans-Texas Corridor**] to Kansas City, Mo., where they would have their first inspection.

A Kansas City SmartPort brochure explains further: "Kansas City offers the opportunity for sealed cargo containers to travel to Mexican port cities with virtually no border delays."

A key purpose of the project is to take jobs away from U.S. longshoremen in Los Angeles and Long Beach, Calif., who earn \$140,000 a year, and replace them with Mexican laborers at \$10,000 a year. U.S. truck drivers and railroad workers will likewise be replaced by Mexicans.

The port of Lazaro Cardenas, on the west coast of southern Mexico, is controlled by Hutchison Whampoa, the same giant Hong Kong shipping firm that owns the ports at both ends of the Panama Canal. Chinese-made goods will be carried by Kansas City Southern Railway de Mexico directly to Kansas City, where freight will be distributed east and west and on to Canada.

Kansas City Southern was originally a belt railway around Kansas City but, after buying various Mexican rail companies and tracks, KCS controls a 2,600-mile artery from Lazaro Cardenas to Kansas City. KCS President Michael Haverty was one of five U.S. businessmen who met with President Bush, Mexican President Vicente Fox and Canadian Prime Minister Stephen Harper at their March summit in Cancun, Mexico.

Mexico was at first expected to pay for the big, expensive machines to conduct high-tech gamma-ray screening for drive-through inspections of containers, but Mexico declined the honor. SmartPort has applied for a \$1.5 million grant from the U.S. Economic Development Administration (i.e., to get the U.S. taxpayers to pay for the machines).

The Kansas City City Council has already earmarked \$2.5 million in loans and \$600,000 in direct aid to SmartPort, which would build and own the facility and then sublet it to the Mexican government. The cost could go as high as \$6 million because Kansas City has an existing lease that runs through 2045 on the same property with the

107-year-old American Royal, which uses that land for its annual livestock/rodeo/barbecue event.

The last piece in finalizing this project is getting the U.S. State Department to approve the Mexican operation on U.S. soil by signing off on what is called the C-175 document. It has already been approved by U.S. Customs.

Meanwhile, NASCO (North America's SuperCorridor Coalition Inc.), another nonprofit business organization, has taken on the mission of building an "international, integrated and secure, multimodal transportation system" from Lazaro Cardenas through Kansas City and up to Winnipeg, Canada. This will allow Mexican trucks to haul goods along a 12-lane superhighway through the heartland of the United States.

Copyright © 2006 Salem Web Network. All Rights Reserved.

[Subscribe](#) | [Update Profile](#) | [Unsubscribe](#)

FREE Emoticons for your email – by IncrediMail! [Click Here!](#)



7-9

OTHER VOICES:

Kansas City customs port considered Mexican soil? Wnd Investigation Finds New Evidence U.S. Facility To Be On Foreign Territory

WorldNetDaily | July 5, 2006 **By Jerome R. Corsi, Ph.D.**

A Mexican customs facility planned for Kansas City's inland port may have to be considered the sovereign soil of Mexico as part of an effort to lure officials in that country into cooperating with the **Missouri** development project.

Despite adamant denials by Kansas City Area Development Council officials, WND has obtained emails and other documents from top executives with the KCSmartPort project that suggest such a facility would by necessity be considered Mexican territory – despite its presence in the heartland of the U.S.

The documents were obtained with the assistance of Joyce Mucci, the founder of the Mid-America Immigration Reform Coalition, under the provisions of the **Missouri** Sunshine Law from the City of Kansas City, Mo., and from the **Missouri** Department of Economic Development.

The documents reveal a two-year campaign initiated in 2004 and managed by top SmartPort officials to win Mexico's agreement to establish the Mexican customs facility within the Kansas City "inland port." Kansas City SmartPort launched a concerted effort to advance the idea, holding numerous meetings with Mexican government officials in Mexico and in Washington to push the Mexican port idea in concert. The effort involved **Missouri** elected officials, including members of the U.S. House of Representatives and Senate.

The documents make clear that Mexico demanded Kansas City pay all costs.

To date, the Kansas City Council has voted a \$2.5 million loan to KC SmartPort to build the Mexican customs facility in the West Bottoms near Kemper Arena on city-owned land east of Liberty Street and mostly south of Interstate 670.

"Kansas City, Mo., is leasing the site to Kansas City SmartPort," Tasha Hammes of the development council wrote to WND last month. "It will NOT be leased to any Mexican government agency or to be sovereign territory of Mexico."

7-10

Yet, an email written June 21, 2004, by Chris Gutierrez, the president of the KC SmartPort, stated that the Mexican customs office space "would need to be designated as Mexican sovereign territory and meet certain requirements."

Even more recently, an email dated March 10 of this year was sent by Gutierrez to a long list of recipients that left no doubt that KC SmartPort has not yet received federal government approval to move forward with the Mexican customs facility. Gutierrez informed the email recipients that the processing a critical form, designated "C-175," needs approval by the U.S. Customs and Border Protection before the form is passed to the State Department for final approval. The processing and approval of the C-175 application is holding up the final approval of the Mexican customs facility.

In the same memo, Gutierrez reported on a recent meeting in Washington: "Both sides (U.S. and Mexican officials) met several weeks ago and the 'document' or as the U.S. refers to it the 'C-175' is near completion. This document is the basis for the procedural, regulatory, jurisdictional, etc. for the project. It defines what will happen and how and what laws, etc. allow this to happen. Both sides have put a lot of effort into this document."

Gutierrez appeared concerned that the intensive lobbying done by KC SmartPort could be a wasted effort if the final U.S. government approvals were not completed before Mexico elected a new president this week.

"The process for the document is for U.S. Customs to present the document to the acting Commissioner and officials with the Dept of Homeland Security," he wrote. "This will happen in March. The document will then be reviewed by the U.S. State Dept who has been consulted on the document all along so they are aware of it. State will make the recommendation on the diplomatic status of the Mexican officials and the documents fit with existing agreements, accords or treaties. Mexico will wait for this recommendation and then get the sign off of their Foreign Ministry (Secretary [Luis Ernesto] Derbez and Under Secretary [Geronimo] Gutierrez are well versed on the project and support it). The hope of both sides is that this will be completed before the Mexican presidential elections in July."

Gutierrez's March 10 email ended by expressing a hope that discussion of the Mexican customs facility issue could be kept from the public, obviously concerned that press scrutiny might end up producing an adverse public reaction that could destroy the project. Gutierrez

7-11 

specifically proposes a low-profile strategy designed to keep the KC SmartPort and the Mexican customs facility out of public view.

"The one negative that was conveyed to us was the problems and pressure the media attention has created for both sides," he wrote. "They want us to stop promoting the facility to the press. We let them know that we have never issued a proactive press release on this and that the media attention started when Commissioner (Robert) Bonner was in KC and met with Rick Alm. The official direction moving forward is that we can respond to the media with a standard response that I will send out on Monday and refer all other inquiries to U.S. Customs. I will get the name from them to refer media calls."

Robert C. Bonner is the commissioner of CBP within the U.S. Department of Homeland Security. Rick Alm is a reporter for the Kansas City Star.

On May 16, Bonner addressed the Chamber of Commerce in Kansas City, saying the Mexican customs facility idea "could be enormously important to Kansas City and the surrounding area, and would – or should – facilitate trade for U.S. exporters by expediting the border clearance process for U.S. goods and products exported to Mexico." Bonner added that "If the Kansas City SmartPort is implemented, Kansas City could become a major new trade link between the U.S. and Mexico."

Among those copied on Gutierrez's email of March 10, 2006, was George D. Blackwood, the president of NASCO (North America's Super Corridor Coalition, Inc.). Blackwood is an attorney with Blackwood, Langworthy & Tyson in Kansas City. He also served as the former chairman of the North American International Trade Corridor Partnership, which he helped found in 1998 when he was serving as mayor pro tem of Kansas City. NASCO supports the Kansas City SmartPort's initiative to establish a Mexican customs facility as part of the NASCO **SuperCorridor** project.

7-12 

Mexico/U.S./Canada Facing Transborder Clean-Diesel Problem Arising From Big Nafta Decision - Free Trade Agreement, 1992, United States-Canada-Mexico - Brief Article

Diesel Fuel News, April 30, 2001 by Jack Peckham

A recent North American Free Trade Agreement (NAFTA) tribunal ruling finally opens the door for Mexican trucking companies to have equal access to the U.S. and Canadian freight markets.

That's only fair, as U.S. and Canadian truckers likewise should have equal access to Mexican markets, under NAFTA. Growing trade between the three countries should be favored by the ruling -- and consumers and business should benefit from freer competition, service innovations and faster through-transit between the countries.

But the ruling also raises several new problems:

*** While the U.S. and Canada are adopting ultra-low sulfur diesel (ULSD) fuel and tough truck/bus emissions standards in 2006/7, Mexico has yet to announce any similar plan. So, how can catalyst-equipped, fuel-sulfur-sensitive trucks traveling between Mexico and the U.S. in late 2006 avoid destroying the EPA-mandated emissions controls, when Mexico has yet to announce any ULSD supply plan? This isn't trivial, as emissions systems would have to be repaired -- at high cost -- as soon as these trucks returned to the U.S. or Canada.**

*** U.S. and Canadian trucking companies in NAFTA corridor service will gradually replace their old, "dirty" diesel trucks with the new, ultra-clean trucks over the coming 10-15 years. But if the same costly investment doesn't occur at a similar rate in Mexico, will lower-cost Mexican trucking companies steal away major portions of the NAFTA freight business? If so, then an unfair system would penalize "clean" companies and reward "dirty" companies, while undercutting the public air quality benefits underlying U.S. EPA's and Environment Canada's new ultra-clean diesel regulations.**

▼ Ad Feedback

Given the very recent NAFTA tribunal ruling on Mexican trucking access, EPA is only now gearing up to address this problem, agency officials tell Diesel Fuel News.

7-13

"Fuel is one piece of this," EPA official Patrick Whelan explains. "So are emissions inspections, but we couldn't impose anything on Mexican trucking companies that's any different than standards for U.S. or Canadian truckers."

Currently, the U.S. doesn't have a federal truck emissions inspection scheme on inuse trucks, although many states are moving to adopt a standard "snap-idle" test for smoke emissions.

California is one such state. Excess emissions from Mexican trucks crossing California's border would be extremely unwelcome in a state with by far the toughest diesel emissions regulatory and retrofit scheme in all of North America.

In preliminary discussions among EPA officials, one idea being suggested to address the international ULSD fuel availability problem is to get those concerns included in the standard trucking operations manuals used in all three countries. U.S. Department of Transportation (DOT) is heavily involved in updates to trucker manuals, so EPA could work with DOT and its counterparts in Canada and Mexico to ensure that truck drivers are made aware of the need to refuel ultra-clean trucks only with ULSD.

Beyond that, EPA and Environment Canada at some point will need to discuss with their counterparts in Mexico about how to ensure that ULSD is made available at truckstops along major highways connecting Mexico with the U.S., probably starting in 2006.

One idea that could be discussed is some kind of phase-in scheme, to ensure that ULSD fuel could be strategically placed at some (if not all, initially) diesel refueling locations along key highways between Mexico and U.S.

Pemex, the Mexican state oil company, hasn't publicly announced any plans to make ULSD available later this decade. But a Pemex source told Diesel Fuel News that "fair rules of competition have to be available for all the parties," and some initial minimum availability of ULSD "has to be available in all the countries."

How to accomplish this? "We are evaluating the supply of smaller quantities, with a phase-in, to minimize the cost of supply," our Pemex source told us. An all-at-once switch to ULSD would be too costly. "Changing the fuel specifications of automotive diesel in Mexico from 500 ppm sulfur maximum today, to less than 15 ppm, to supply the entire diesel fleet -- with an average age of 15 years -- is a high cost to pay," the Pemex official emphasized.

* ACEC: Truck, Rail Impacts

Meantime, on a related front, officials from Mexico, the U.S. and Canada recently launched joint discussions on how to address pollution from both truck and railroad traffic that is expected to grow dramatically due to NAFTA accords.

Nitrogen oxides (NOx) and particulate matter (PM) from NAFTA-related rail traffic alone will increase 50-100% over the next 20 years, according to an ICF Consulting report for the recent North American Commission for Environmental Cooperation (NACEC) meeting in Canada.

As clean-diesel truck technology replaces old technology, PM/NOx truck emissions per ton-mile along the NAFTA trade corridors should plummet by 80% from today's levels, the ICF report found. However, "the gains in the U.S.-Mexico corridors will not be as large under the assumption that [ultra-] low-sulfur diesel will not be widely available in Mexico," the report said.

Replacing diesel with compressed natural gas (CNG) wouldn't be a wise air-pollution strategy, as "the vast improvements in diesel engine emissions means that natural gas will probably not offer an emission reduction in the Canada-U.S. corridors."

Even if ULSD and clean-diesel technology are slower to catch on in Mexico, a CNG option wouldn't help much. Even if Mexican truckers could afford very costly CNG technology, that would only cut truck PM emissions in Mexico-U.S. NAFTA corridors by 13%, the study found. Even worse, the very high cost of creating CNG/LNG refueling infrastructure wasn't included in the study's calculation.

"The emissions benefits of natural gas will decrease as diesel trucks become cleaner," the ICF report concludes. "While natural gas trucks could also benefit somewhat from the control technologies (particulate filters and NOx catalysts) that will be in place after 2007, it is not clear if they would actually have lower emissions than diesel after that point."

PRIMARY CONCERNS:

- AN EXTREME DECLINE IN THE QUALITY OF LIFE WE ALL APPRECIATE IN GARDNER AND SOUTHWEST JOHNSON COUNTY
- incessant noise from the 59,000 trucks and 140 trains PER DAY at full operation
- property values dropping as much as 20% as indicated by looking at other intermodals
- diesel emissions degrading air quality and jeopardizing the health of everyone, particularly children, the elderly, and any who suffer from respiratory ailments
- the location next to Bull Creek Park and Mildale Farm, which we have paid \$6,000,000 for and would like the opportunity to enjoy without the noise, smell, and sight of a rail yard
- the impact on the established KCPL wetlands
- the threat of chemical spills and toxic gas leaks
- the effect on local ground water by storm runoff and waste water collected from 1000 acres of industrial surface covered with diesel engines and storage containers that could be holding hazardous substances

THE COMPROMISE AND CONTAMINATION OF THE HILLSDALE WATERSHED—THE PROPOSED FACILITY WOULD BE BUILT ALONG THE MAIN TRIBUTARY OF HILLSDALE LAKE

- congestion on the roads and risks for drivers, cyclists, and walkers
- the increase and spread of crime, drugs, and prostitution
- the intention to build warehouses in areas adjacent to the proposed 1.5 square miles making the actual area over 2 square miles with the extended site being a TIF district
- the observation that other intermodals continue to expand by annexing lots then destroying the houses and businesses for intermodal facilities
- taxes going up to provide the infrastructure necessary for such a facility
- MAJOR truck traffic between Gardner and Belton with our RESIDENTIAL ROADS being expanded to multiple lanes to accommodate 1000's of trucks with higher speed limits.

There are too many concerns to fit on one page

For more information, petitions, signs, T-shirts—to ask questions or to get involved in the opposition contact THE DOLPHIN SONG AT 102 SOUTH ELM, GARDNER, KS, (913) 856-7513

We can fight this if we all rally and put aside everything we possibly can in the present to assure the future we expected when we chose Gardner and SW Johnson County as our home. We are not used to being activists but now WE MUST BE for our homes, our families, our town—the life we have worked for. Contact all of you

CITIZENS FOR RESPONSIBLE DEVELOPMENT: WWW.NOINTERMODAL.COM

7-16

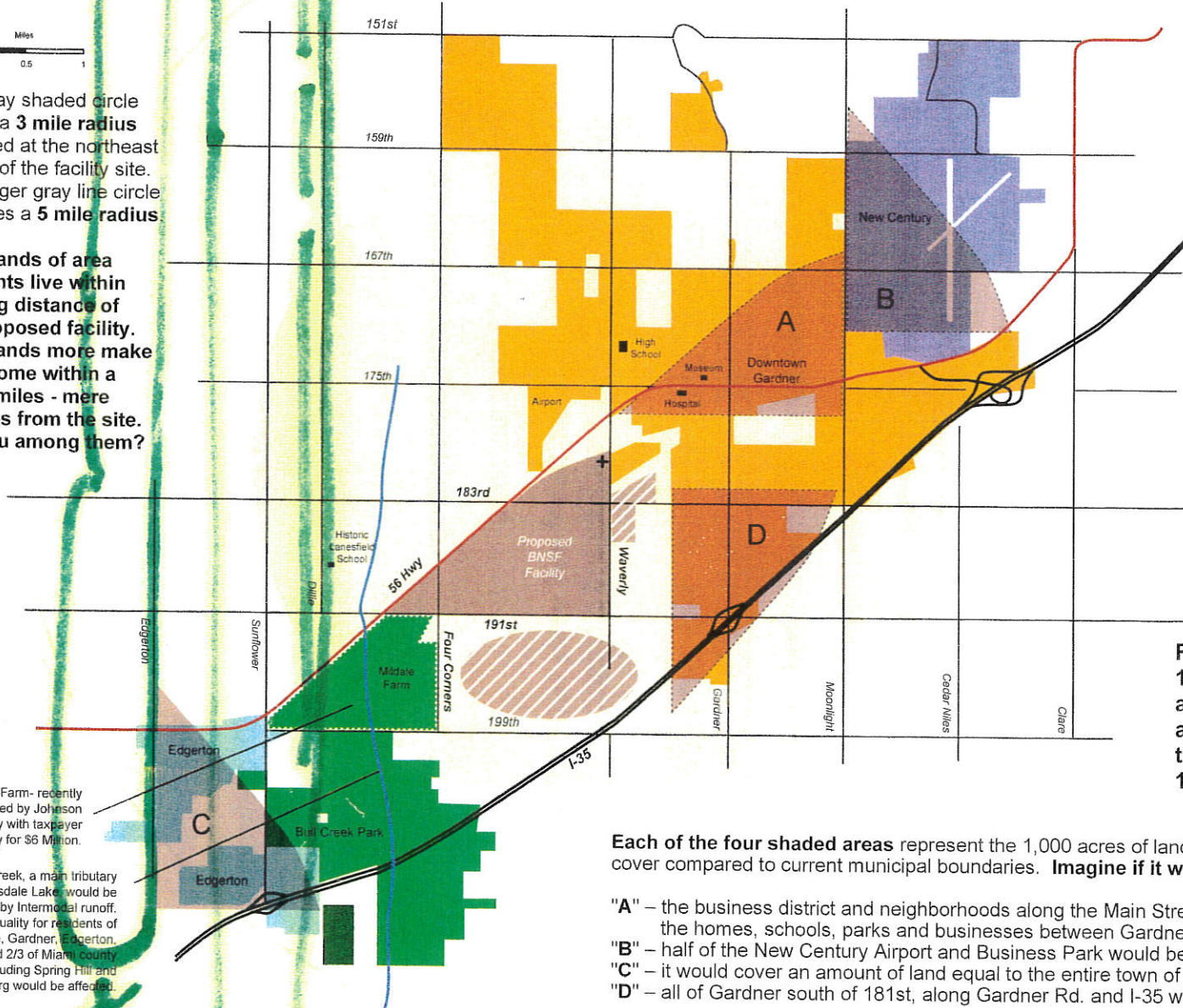
The BNSF facility would completely overshadow the cities, homes, businesses and parks of Gardner and Edgerton, Kansas.

7-17



The gray shaded circle shows a **3 mile radius** centered at the northeast corner of the facility site. The larger gray line circle indicates a **5 mile radius**.

Thousands of area residents live within walking distance of the proposed facility. Thousands more make their home within a 3 or 5 miles - mere minutes from the site. Are you among them?



Key	
	Gardner
	Edgerton
	New Century
	Bull Creek Park & Mildale Farm (future JoCo park site)
	Proposed 1000 acre Intermodal Facility
	Additional 500 acres for Future Offsite Warehousing
	3 mile radius

Boundaries indicated are based on maps available on the City of Gardner website - www.gardnerkansas.gov.

First, consider just how **BIG** this 1,000 acre facility would be. Then add in the future construction of anticipated off site warehouses and the entire complex would grow to 1,500 acres – over 2 square miles.

Each of the four shaded areas represent the 1,000 acres of land the proposed "rail yard" facility would cover compared to current municipal boundaries. **Imagine if it were located in shaded area ...**

- "A" – the business district and neighborhoods along the Main Street corridor, the JoCo fairgrounds, all of the homes, schools, parks and businesses between Gardner Rd and Moonlight Rd would be gone.
- "B" – half of the New Century Airport and Business Park would be occupied.
- "C" – it would cover an amount of land equal to the entire town of Edgerton.
- "D" – all of Gardner south of 181st, along Gardner Rd. and I-35 would be covered.

Mildale Farm- recently purchased by Johnson County with taxpayer money for \$6 Million.

Big Bull Creek, a main tributary of Hillsdale Lake, would be impacted by Intermodal runoff. Water quality for residents of Olathe, Gardner, Edgerton, and 2/3 of Miami County including Spring Hill and Louisburg would be affected.

58

Gates urges more tech worker visas

Some in Congress want tighter rules

By Michelle Kessler
USA TODAY

Microsoft Chairman Bill Gates on Wednesday asked Congress to make it easier for tech companies to hire foreign workers — even though some members of Congress want to make it harder.

Gates, testifying before the House Committee on Science and Technology, said that the USA faces “a critical shortfall of skilled scientists and engineers.” Improvements in education would help, but more visas for skilled workers are desperately needed, he said.

He wants Congress to raise the number of the most common type of skilled worker visa, called an H-1B. So do many other big tech companies, including Google, Intel and Hewlett-Packard.

Critics such as Rep. Dana Rohrabacher, R-Calif., want to make H-1Bs harder to obtain. They say visa holders take American jobs and reduce wages by working for less than their U.S. counterparts.

This battle, waging for years, is at a stalemate. The number of the main type of H-1B visas has not changed since 2002. But neither side plans to back down.

Insufficient visas mean that “many U.S. firms, including Microsoft, have been forced to locate staff in countries that welcome skilled foreign workers” to stay competitive, Gates said.

Rohrabacher replied that Gates is “totally insensitive and unsympathetic to average working people who are being displaced by foreign workers.”

Congress allocates about 65,000 standard H-1B visas each fiscal year. Exemptions and related visas often raise the number of skilled worker permits to nearly 130,000, says Ron Hira, a professor at the Rochester Institute of Technology and author of *Outsourcing America*.

But demand still far outstrips supply. In fiscal 2007, which began Oct. 1, 2006, the main type of H-1B visa was used up by early April.

Although Gates spoke of highly skilled specialists, the average H-1B worker has a bachelor's degree, was born in India and makes about \$55,000 a year, says the most re-

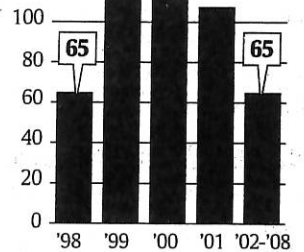


By Alex Wong, Getty Images

Gates: Testifies before the House science and technology panel.

Foreign worker visas

Number of non-exempt skilled worker (H-1B) visas available by fiscal year, ended Sept. 30.¹
(in thousands)



¹ — Homeland Security is authorized to issue extra visas under special exemptions.

Source: Department of Homeland Security.

By Adrienne Lewis, USA TODAY

cent data from the U.S. Citizenship and Immigration Service. (The average U.S. tech worker's salary is more than \$74,500, says career site Dice.com.)

Many of the companies who hire H-1B visa holders are also from India, although they have large U.S. operations. Huge outsourcing firms such as Wipro and Infosys are among the biggest H-1B users.

That's a problem, says Paul Kostek, a vice president with IEEE-USA, a trade group representing U.S. engineers and scientists. Since many visa holders are not working for U.S. companies, raising the cap will not help America be more competitive, he said.

Rohrabacher is co-sponsor of a bill that would make it tougher for foreign workers to qualify for an H-1B. Hira says other reforms are needed. He advocates higher wages for H-1B holders and audits that will require companies to prove that they tried to hire U.S. workers before seeking H-1Bs. The visas “can have a positive effect, but let's mend (the program),” he says.

7-18

PEMEX Fuel Prices

- [Dollar/Peso Exchange](#) - [Click for Current Daily Rate](#)

Gasoline prices for the current month

Magna.....\$ 6.71 pesos per liter
Premium.....\$ 8.31 pesos per liter
Diesel.....\$ 5.67 pesos per liter

These prices are in liters, since 1 gallon = 3.7854 liters.

Today (November 1st) 1 dollar = \$ 10.50 pesos (+/-)

Using the previous information, this is what we have....

Magna.....\$ 2.419 dollars per gallon
Premium.....\$ 2.995 dollars per gallon
Diesel.....\$ 2.044 dollars per gallon

7-19