



NIAGARA COUNTY
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**CERETTO, SKLARSKI RE-FILE BRIDGE COMMISSION SUIT AT FEDERAL LEVEL
SAY BRIDGE COMMISSION 'CAN'T KEEP DUCKING LAW'**

LOCKPORT—Two Niagara County lawmakers renewed their demand that the Niagara Falls Bridge Commission comply with the federal Freedom of Information Act, which the Commission has continued to disregard.

The pair instructed attorneys representing them to re-file a lawsuit against the commission as a federal lawsuit today.

Legislators John D. Ceretto, R-Lewiston, and Danny W. Sklarski, D-Niagara, joined together to file the bipartisan lawsuit last June, when the Bridge Commission ignored their request for information about the departure of former Commission Executive Director Thomas E. Garlock. Garlock's exit has long been shrouded in secrecy by the Commission and its chairwoman, Norma Higgs of Niagara Falls.

Ceretto and Sklarski had sought the information under New York state's Freedom of Information Law. In March, U.S. District Judge Richard J. Arcara, denied Ceretto and Sklarski's request for information under the New York state law, but urged them to resubmit their lawsuit asserting a right to information under the federal Freedom of Information Act.

"We will assert our rights under the Freedom of Information Act," Ceretto said Monday as he awaited word from his attorneys at the Buffalo-based law firm Webster Szanyi, LLP that the lawsuit had been re-filed. "Further, though, we will finally address the ludicrous notion that the Bridge Commission is 'bi-national' and thus unanswerable to us as American citizens. I can assure you that any review of the Joint Resolution of Congress that established the Commission makes U.S. oversight clear and ownership of the American assets of the Commission undeniable."

Ceretto said that the Bridge Commission's refusal to abide by laws that governed agencies and commissions created by the federal government had left him and Sklarski no choice but to litigate the matter.

"The games being played by the Niagara Falls Bridge Commission are growing tiresome," Ceretto said. "This entity, created by an Act of Congress more than half a century ago, claims to somehow be exempt from U.S. laws. And, this same entity then tells our friends in Canada that it is exempt from their laws as well. That's a pretty amazing thing—an agency that says it is accountable to no one."

Ceretto noted that the Bridge Commission regularly tried to play American and Canadian laws off against each other, hiding behind whichever side's laws seemed to give it the most opportunity to obscure its actions.

"When we asked the Bridge Commission to release information to us that we were entitled to under the federal Freedom of Information Act, they practically renounced their U.S. citizenship to avoid complying,"

Ceretto said. "It was as if they promptly began singing 'O Canada' and trying to hide behind Canadian laws."

Ceretto said he and Sklarski hope to prevail under the re-filed federal lawsuit.

"The Bridge Commission cannot be allowed to continue acting lawlessly," Ceretto said, noting that he and Sklarski are undertaking the lawsuit using our own resources, rather than the taxpayers' dollars. "We're doing so because we believe, first off, that we're right, but secondly, that our citizens are entitled to answers. And we're going to keep fighting until the Bridge Commissions starts providing some."

"The Bridge Commission can't keep ducking the law," Ceretto said. "We won't let them."

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