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COORDINATED CLEARANCE COALITION VISION UNVEILED



Coordination:

- *within and between governments*
- *public and private sector activities*
- *transportation and border security efforts*

What is Coordinated Clearance - Point of Departure Determination?

The concept of "Coordinated Clearance", which involves Point of Departure Determination (PDD), is a comprehensive management approach to improving border security and trade facilitation. Through closer cooperation and the use of risk-based techniques, inspection agencies can improve the experience for low-risk people and goods moving across the shared U.S. - Canada border. Most importantly, this will permit more resources to be devoted to effectively screening high-risk flows. Coordinated Clearance also means "pushing out" border services so screening of passengers and goods can be undertaken before departure, which has many consumer and security benefits.

Coordinated Clearance Vision

"The US and Canada working closely together to strengthen the security of our borders and to risk-manage at the point of departure to expedite the movement of low-risk people and goods between the two countries."

The Coordinated Clearance - PDD Vision

The vision for Coordinated Clearance, with PDD, contains several important features. First off, security remains a high priority for industry, government, and the public. The use of risk-management techniques (now widely accepted by border agencies) is another critical starting point. It is also crucial to make the distinction between risk-based management at the point of departure as compared to using this technique at local border crossings. Expanded resources and new expedited programs at our shared border, which involves the numerous land, air, and marine crossings, have not yet alleviated congestion and delays. Instead, by "pushing out" the border, and making entry determination decisions at the point of departure - the experience of crossing the border for passengers and goods will be more efficient and secure.

Coordinated Clearance Means:

- Improved security
- Common processes for expediting passengers and goods
- Enhanced compliance with each country's laws
- Targeted risk-based inspections for both goods and people

Coordinated Clearance Does Not Mean:

- Elimination of the Canada - U.S. border
- Continental integration like the European Union
- Full harmonization of visa / immigration policies
- Custom Union or merged import rules
- Loss of sovereignty for either the U.S. or Canada

Evolution

The Coordinated Clearance Coalition (CCC), previously known as the Perimeter Clearance Coalition, is a broad based community of interests founded in 2000 on the principle that the private and non-profit sectors have an essential role in providing government with advice and policy options to better manage our borders. Today's Coalition includes representation from over 400 port and airport-related entities, border communities, tourism groups and airlines. Its initial strategy included many of the ideas that influenced the Smart Border Action Plan, and are now being discussed for implementation through the Security and Prosperity Partnership (SPP). Moving forward, the CCC wants to continue to play a role in developing the policies used to manage the Canada US border.

The Coordinated Clearance Coalition is a broad based stakeholder group founded in 2000 on the principle that the private sector has an essential role in providing government with advice and policy options to better manage our borders.

The Coalition changed its name in 2007 in recognition of the need for Canada and the U.S. to cooperate on border management issues with one another, but also with other countries and organizations around the world. Coordinated Clearance better describes the wide range of border and clearance issues that the Coalition views as needing attention. Furthermore, Coordinated Clearance, with PDD, illustrates the Coalition's renewed focus on promoting closer cooperation between government agencies on both sides of the border. The U.S. and Canadian governments have generally worked well together, but must expand this cooperation to include other trading partners in Asia, Europe and Latin America.

Our understanding of the very definition of borders is changing. A border can now be located at an overseas factory loading dock, or at an airport's departure hall, which is the case for Canadian airports with U.S. Customs and Border Protection (CBP) Pre-clearance. Border management policies and practices must to be updated to account for this new thinking. Likewise, the original Perimeter Clearance strategy advocated for bilateral cooperation in strengthening collective security. Now that much of what was originally proposed has been implemented, efforts to work with international partners should be pursued. Process improvements and techniques that have become part of routine Canada – U.S. bilateral relations should also be considered in multilateral forums such as through the Asia Pacific Economic Cooperation (APEC). For that matter, successful cooperative programs, such as the Container Security Initiative (CSI), already demonstrate the potential for PDD, and also benefit the host nation by reducing domestic security risks.

In summary, the Coordinated Clearance vision, with PDD, renews the call for expediting legitimate travel and trade, while intensifying attention on high or unknown risk border crossing activity. But the vision is not static, and will continue to evolve. Your input, suggestions, and critiques are valued so that we can deliver better proposals and more effective solutions for government action.

Land Pre-clearance Negotiations Continue

DHS Secretary Chertoff announced the first land pre-clearance site for travelers at the Peace Bridge between New York and Ontario will not proceed at this time. Underway since December 2004, if discussions are eventually successful, this initiative would facilitate travel across one of the busiest passenger vehicle crossings across the 49th parallel. Chertoff indicated that a number of legal issues remain with regards to proposed enforcement actions, which are not yet accepted by Canadian authorities.

U.S. CBP successfully operates pre-clearance at eight Canadian and four Caribbean airports. Originated at Toronto in 1952, the volume of pre-cleared passengers at Canada's largest airport now makes it the 5th largest U.S. port-of-entry, which is in the league of New York-JFK, Los Angeles, Chicago, and Miami. The latest update of the U.S. – Canada Air Pre-clearance treaty commenced in 1995, and was finally concluded in 2002, which involved Canada's Parliament adopting the Pre-clearance Act.



Commentary

Progress Requires Patience

The major lesson learned from the multi-year effort to expand CBP Air Pre-clearance in Canada is patience is needed on both sides. At the same time, the risk at land borders is materially different than at airports, which may warrant different approaches. For example, physical security for CBSA or CBP officers is easier to attain in the closed and heavily monitored environment of a passenger terminal building. As the expansion of land pre-clearance is a key stepping-stone in the Coordinated Clearance approach, and fully in keeping with SPP priorities, perseverance is key to finding solutions to what may seem to be intractable hurdles, or fundamental policy objections.

No Deal Better Than A Bad Deal

Canada's Public Safety Minister Stockwell Day, while hoping for re-opening of negotiations, expects land traveler pre-clearance offers great potential, and can expedite traffic flows. Yet, as the senior policy-maker responsible for Canada's border security, the Minister recognizes moving too quickly, and in a manner that does not respond to legitimate policy and practical issues, is not in anyone's interest. Similarly, U.S. DHS in responding to Congressional mandates must ensure its protection duties can be achieved, wherever it deploys resources. The CCC suggests to both negotiating teams that involving stakeholders in these discussions, which was done for the air pre-clearance talks, may be worthy of serious attention. For example, a key stakeholder is the trucking industry, which would be a major beneficiary. Truckers working in this corridor may have plenty of insights on what actually works, and if this translates into streaming of passenger vehicles to separate lanes, this would do a great deal to further accelerate the flow of goods across the third busiest trade route between the U.S. and Canada. While many of the issues will require resolution within government policy circles, plenty of practical issues also need attention by engaging stakeholders such as travelers, infrastructure providers, and local communities. Outreach can also ease the way for implementation, and avoid nasty media-grabbing surprises. The CCC is willing to participate in this dialogue.

US and Canada Push For Protection for Victims of International Trafficking

As a matter of policy and law, the U.S. is fully committed to combating trafficking in persons at home and abroad. While this complex problem requires cross-departmental engagement, lead efforts are undertaken by State. In order to stem the flow of forced travel, efforts are underway to prevent trafficking, prosecute offenders, improve capacities in origin nations, and protect victims once in transit. State's Bureau of Population, Refugees, and Migration has since 1988 provided support to vulnerable individuals and groups in Africa, Central and South America, Asia, and on a regional basis with United Nations agencies.

Canadian foreign policy also strongly supports protection of persons traveling under threat. In 1951, Canada was an original signatory to the U.N. Refugee Convention, which still directs today's global humanitarian efforts. In addition, Canada has long been an advocate for the protection and assistance of refugees and for internally displaced populations. These groups are routinely exploited, which often leads to forced and clandestine travel.

Commentary

Protect Vulnerable Persons

Implementation of point of departure determination must be done in a manner respectful of humanitarian principles. U.S. and Canadian law enshrine these principals, and are very much the reason immigration regulations in both countries are complex. Admittedly, abuses do occur, which generates immense public attention. Unfortunately, some of these solutions make border crossings difficult for both legitimate travelers, and for those trafficked individuals that may eventually be accepted for protection. The 2005 U.S.-Canada Safe-Third Country Agreement is proving effective in managing irregular traveler protection. Similarly, the European Union has a biometric identification program which avoids asylum seekers making multiple applications in different jurisdictions. The CCC respects the need for protection of vulnerable persons in transit, which demands a broad level of collaboration across governments, NGOs, industry, and civil society.



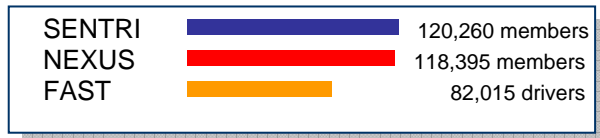
New Tools Needed

The practical aspect of trafficking in persons and asylum-seeking at border crossings is most of these forced travelers will not have legitimate travel documents. CBP and CBSA face this challenge daily, and have developed standard operating practices for dealing with these travelers when they have reached domestic soil. Regulations are also in place requiring transportation firms such as airlines to verify passenger travel documents before boarding. As point of departure controls are expanded, a combination of new technologies and processes will be required to deal with persons seeking protection. For example, U.S. State is considering the use of video-conferencing in its visa issuance process where travelers may be situated a long way from a consular office. CBSA already has a network of Migration Integrity Officers located throughout the world to assist airlines with identifying false documents. These pre-arrival processes could be expanded to assist with the movement of vulnerable persons. Biometrics also can play a role in ensuring that claims of asylum are not being abused, particularly by persons of interest by security agencies. The CCC anticipates the sizeable resource gains for border agencies from automated processing of routine low-risk persons could be used to develop and implement new tools for facilitating travel for vulnerable persons.

Perceived Border Thickening Impacting US Travel Demand

On April 27th, Rep. Louise Slaughter (Dem.), testifying at the Senate Foreign Relations Committee, expressed concern WHTI is adversely impacting border communities. Rep. Slaughter, while recognizing Congress directed DHS and State to implement secure travel document measures, said "*But we never intended for WHTI to close our borders to legitimate trade and travel*". Also of concern is the 8% reduction in Canadian origin travel to the U.S., matching the low in June 2005.

Similarly, the Discover America Partnership (DAP) just released an international visitor survey which raises concerns about future impacts from the **perception** of a thickening U.S. border. While U.S. destined travel in 2006 has nearly reached the 2000 peak of 51.2 million visitors, the DAP is calling for Congress to pursue seamless inspection processes to continue this upward trend.



Commentary

Promote Facts Now

The facts are U.S. CBP routinely inspects nearly 1.1 mil. persons per day at over 300 ports-of-entry, with reportedly few multi-hour delays. Another fact is the US-VISIT program, which involves collection of digital images and fingerprints from international visitors, is being performed efficiently, and has uncovered numerous individuals of concern to U.S. border and other law enforcement agencies. Nevertheless, perceptions can be a powerful influence if not corrected. Changing the view of how US borders are perceived in far off lands is a difficult task, which is compounded by the global competition for tourist spending. Although government must take responsibility for ensuring laws are implemented in the least intrusive manner as possible, industry also has a role to inform their customers and partners on what they can do to avoid delays. As such, outreach is needed to explain to travelers what they can do to ensure a speedy border crossing, especially bringing all necessary documents for CBP inspection. Getting a NEXUS card is even better!

CBP Doing Its Part on WHTI

It is not realistic to expect a line agency such as CBP to front WHTI outreach: these efforts must be led by State, Homeland Security, and Commerce. The good news is CBP is doing its part to make WHTI work. In particular,

CBP does not routinely reject travelers for lack of a passport at Canadian Air Pre-clearance sites. While CBP officers do ensure travelers properly identify themselves, first-time visitors are advised to obtain a passport or NEXUS card before their next U.S. visit. What CBP can do is steer those travelers they see on a frequent basis to NEXUS – which of course is fully consistent with CCC objectives.

Canada Must Also Promote Efficient Borders

Poorly perceived border processes will not only impact US tourism activity, but also has consequences for Canada. The two-nation vacation continues to be a strong drawing card for international visitors, with Niagara Falls likely the most symbolic of this potential. In response, the Bi-national Tourism Alliance which represents travel interests in Ontario and New York, have announced a **NEXUS Incentive** program to encourage participation by frequent visitors. In turn, Rep. Slaughter plans to introduce legislation to further promote NEXUS and FAST, possibly with a \$20 cost ceiling, simplified application process, and expanding expedited lane locations. Even though the Canadian government has committed to expand NEXUS and FAST, faster implementation is needed if these low-risk programs are to reach their full potential.

Upcoming events

- CAN/AM BTA with PNWER, July 22 - 26, 2007, Anchorage, Alaska
- CAN/AM BTA Conference, Sept 9 - 11, 2007, Washington, D.C.
- CAN/AM BTA Trade Corridors, Border Gateway, and Bi-National Economic Regions Conference, Oct 28-30th, Montreal, Quebec



A broad based and varied industry group, formed in 2000, The Coordinated Clearance Coalition is founded on the principle that the private sector has a positive role to perform in assisting the Governments of Canada and the United States to develop better methods to manage our border processes. The Coordinated Clearance Coalition includes representation from over 400 ports and airport-related entities, border communities, tourism groups and airlines.

For more information, check our website,
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